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Contact: Gabriel Gnall 410.260.7335 gabriel.gnall@maryland.gov

### 1. <u>BOARD OF PUBLIC WORKS</u> Procurement Agency Activity Report

*Recommendation:* That the Board of Public Works approve the Procurement Agency Activity Reports submitted by:

Budget & Management General Services Public Safety & Correctional Svs Transportation *Feb, Mar, & Apr 2016 May 2016 October 2016 Aug & Sept 2016* 

*Authority:* COMAR 21.02.01.05





Contact: Gabriel Gnall 410-260-7335 Gabriel.Gnall@Maryland.gov

### 2. <u>BOARD OF PUBLIC WORKS</u> COMAR: State Procurement Regulations

*Recommendation*: That the Board of Public Works take final action to adopt – as proposed – new regulations as well as amendments to COMAR Title 21. This proposal clarifies existing procurement regulations to avoid inconsistent application of those regulations.

*Background*: Reference is made to Secretary's Agenda Item 4 (July 27, 2016) in which the Board of Public Works approved these regulatory proposals. The proposals were reviewed at the AELR Committee and were published for public comment in 43 *Maryland Register* 1172-1180 [Oct. 14, 2016].

**Public Comment**: Two public comments were received, both favorable. The Surety & Fidelity Association of America supports the proposal regarding performance and payment bonds and powers of attorney. Maryland Nonprofits supports the invoicing, payments, and interest on late payments proposal.

Amend:	<ul><li>21.02.01.01 Definitions – Department names</li><li>21.02.03.02 Review and Approval of Solicitations and Contracts for Services</li><li>21.02.03.03 Procurement, Repair, and Maintenance of State-Owned Motor</li></ul>			
	Vehicles			
	21.07.02.04 Suspension of Work (Construction Contracts)			
	21.11.03.09 Procurement Solicitations (MBE)			
	21.11.13.02 Definitions (VSBE)			
	21.12.04.10 Solicitation of Interest for Individual Projects (DGS A/E Services)			
	21.12.04.10-1 Solicitation of Interest for Indefinite Quantity Contracts			
	21.12.05.01 General (DGS A/E Services)			
	21.14.01.03 Procurement Methods (Human, Social, Cultural, and			
	Educational Services)			
	21.14.01.05 Solicitation Requirements for Human and Social Services			

### (2) Clarify scope or requirement of regulation

Amend: 21.02.01.04 Delegation of Procurement and Contracting Authority – DBM 21.02.01.04 Delegation of Procurement and Contracting Authority – DGS 21.05.05.04 Record of Sole Source Procurement 21.05.08.04 Minority Business Enterprise Subcontract Participation Goal 21.06.07.10 Performance and Payment Bonds 21.11.09.01 Definitions (Vending Facilities on DGS-Controlled Property) 21.11.09.02 Priority (Vending Facilities on DGS-Controlled Property)



### 2. <u>BOARD OF PUBLIC WORKS</u> (cont'd) COMAR: State Procurement Regulations

- (3) Revise regulation in accordance with statutory changes
  - Amend:21.04.01.03 Responsibility for Preparation<br/>21.05.08.07 Bid/Proposal Affidavit<br/>21.07.01.08 Nondiscrimination in Employment<br/>21.07.01.20 Political Contribution Disclosure<br/>21.07.01.25 Contract Affidavit<br/>21.07.01.26 Commercial Nondiscrimination Clause
- (4) Move Chapter (Procurement of Human, Social, Cultural, and Educational Services)
  - Add: 21.05.12 General Regulations
  - **Repeal**: 21.14.01 General Regulations
- (5) New proposed regulations.
  - Add:21.06.07.09 Authenticity and Enforceability of Powers of Attorney<br/>21.06.09.01 Invoicing, Payment, and Interest on Late Payments
  - Amend:21.07.01.18 Payment of State Obligations21.11.13.05 Procurement Solicitations (VSBE)





Contact: Bill Morgante 410-260-7791 Bill.morgante@maryland.gov

### 3. <u>BOARD OF PUBLIC WORKS</u> Wetlands Licenses Concurrence Cases

**Recommendation:** The Board of Public Works Wetlands Administrator recommends that the Board grant wetlands licenses for projects involving dredging or filling in the navigable waters of Maryland as indicated.

*MDE*: The Department of the Environment concurs with this recommendation.

*Authority:* Section 16-202, Environment Article, Annotated Code of Maryland: "The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents." See also COMAR 23.02.04.

### ANNE ARUNDEL COUNTY

16-0165 *MARYLAND TRANSPORTATION AUTHORITY* – To improve navigable access by dredging a basin; to provide for a 6-year dredging period; and to construct a replacement pier.

*Chesapeake Bay, base at west end of Bay Bridge Special conditions: Dredging requirements.* 

### **BALTIMORE CITY and COUNTY**

16-0735 BALTIMORE GAS & ELECTRIC CO. – To identify possible soil contamination by collecting surface and subsurface sediment and pore water samples. BGE Riverside/Fort Carroll property, Broening Highway, Patapsco River Special conditions: Soil boring disposal requirements.

## CALVERT COUNTY

16-0497 *DEPT. OF NATURAL RESOURCES* – To improve navigable access, enhance beach, and control shoreline erosion by dredging an entrance channel and depositing the dredged material along an adjacent beach.

Prince Frederick, Patuxent River Special conditions: Time-of-year restrictions. Dredging and marsh vegetation requirements.



### 3. <u>BOARD OF PUBLIC WORKS</u> (cont'd) Wetlands Licenses Concurrence Cases

### **CECIL COUNTY**

16-0588 SANDY HILL HOLDINGS, LLC – To provide beach nourishment and control shoreline erosion by constructing stone revetments, stone armoring and a stone containment sill for sand.

North East, North East River Special conditions: Time-of-year restriction. Requirements for revetment design,

### **TALBOT COUNTY**

16-0603 *JOSEPH ROBILLARD* – To stabilize shoreline by constructing and backfilling a timber bulkhead; constructing armor stone, three stone groins, and sand containment sills; and filling and grading with sand and planting with marsh vegetation.

construction, material grain size, marsh mats, and turbidity curtain usage.

Oxford, Trippe Creek Special conditions: Time-of-year restrictions. Bulkhead construction sequencing and filling, and marsh establishment requirements.





Contact: Re Rentuma 410-260-7909 rrentuma@comp.state.md.us

## 4. <u>BONDS</u>

**Recommendation:** The Comptroller and the Department of General Services recommend that the following general obligation bond authorizations be canceled in the amount of **\$204,076** and, at the same time, reduce the State's spending authority, as the grantees stated in writing that the project is complete or the funds are no longer needed.

*Authority*: Section 8-128, State Finance and Procurement Article, Maryland Annotated Code and specific bond bills as shown.

MCCBL of 2006 (Chapter 46, Acts of 2006)	
<i>Ebenezer Community Life Center</i> As amended by Chapter 396, Acts of 2011 and Chapter 495, Acts of 2015	\$55,999
MCCBL of 2007 (Chapter 488, Acts of 2007)	
Germantown Boys and Girls Gymnasium St. Agnes Healthcare	\$46,375 \$57,447
MCCBL of 2010 (Chapter 483, Acts of 2010)	
Milford Mill Academy Sign	\$9,836
MCCBL of 2012 (Chapter 444, Acts of 2012)	
Supported Living Facility As amended by Chapter 463, Acts of 2014	\$34,394
MCCBL of 2013 (Chapter 424, Acts of 2013)	
William Paca House	\$25

BOARD OF PUBLIC WORKS	THIS ITEM WAS:	
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOU	UT DISCUSSION



#### 5. MARYLAND DEPARTMENT OF THE ENVIRONMENT

**Recommendation:** That the Board of Public Works approve new loan/loan forgiveness funding up to \$1,972,358 to Town of Oakland for the Oakland Water Pressure Correction project in Garrett County. Funding may involve multiple sources, including general obligation bond proceeds as the required 20% match to federal funds and other funds. (Legislative District 1A)

### A. New Loan of \$986,179 (estimated) – Drinking Water State Revolving Loan Fund.

Borrower will repay this loan over a period not to exceed 30 years following project completion, at an interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 0.60% interest rate. To secure this debt, Borrower will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

### B. New Loan Forgiveness (up to) \$986,179 – Drinking Water State Revolving Loan Fund.

This funding is provided under the Drinking Water State Revolving Loan Fund Program disadvantaged-community criteria. The principal forgiveness loan terms/grant conditions are enforceable should grantee default.

**Project Description**: The project entails improvements to the existing Oakland water distribution system infrastructure. The improvements will include construction of water booster pumps and water line replacement/rehabilitation including ancillary appurtenances within the Town of Oakland. These corrective measures will improve both quantity and quality of water, thereby providing safe and adequate drinking water for the town's residents.

### **Project Funding Sources:**

Drinking Water State Revolving Loan Fund	\$	986,179
Drinking Water State Revolving Loan Fund Forgiveness/Grant	\$	986,179
Local Share	\$	268,000
TOTAL ESTIMATED PROJECT COST:	\$2	2,240,358

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined that its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33, and State Clearinghouse comments and recommendations.





## 6. <u>MARYLAND DEPARTMENT OF THE ENVIRONMENT</u>

**Recommendation:** That the Board of Public Works approve new loan/loan forgiveness funding up to \$882,103 to Town of Oakland for the **Oakland Water System Rehabilitation** project in Garrett County. Funding may involve multiple sources, including general obligation bond proceeds as the required 20% match to federal funds and other funds. (Legislative District 1A)

**A.** New Loan of \$441,051.50 (estimated) – Drinking Water State Revolving Loan Fund. Borrower will repay this loan over a period not to exceed 30 years following project completion, at an interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 0.60% interest rate. To secure this debt, Borrower will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

# B. New Loan Forgiveness (up to) \$441,051.50 – Drinking Water State Revolving Loan Fund.

This funding is provided under the Drinking Water State Revolving Loan Fund Program disadvantaged-community criteria. The principal forgiveness loan terms/grant conditions are enforceable should grantee default.

**Project Description**: The project entails the planning, design, and replacement of the aging water distribution system and other ancillary apparatus as required throughout the Town of Oakland. The deteriorated condition of the town's water system has led to excessive amounts of water loss and created potential pathways for the contamination of drinking water. This project helps to protect public health and conserve drinking water. The proposed improvements will take place in multiple phases.

\$ 441,051.50
\$ 441,051.50
<u>\$ 48,000.00</u>
\$ 930,103.00

*Authority:* Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined that its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33, and State Clearinghouse comments and recommendations.





### 7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

**Recommendation:** That the Board of Public Works approve new grant up to \$19,271,609 to Washington County for the Conococheague Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade project. Funding may involve multiple sources which may include general obligation bond proceeds. (Legislative District 2A)

**Project Description:** The project entails the planning, design, and construction of enhanced nutrient removal upgrade at the Conococheague Wastewater Treatment Plant and expansion from 4.1 million gallons per day (MGD) to 4.5 MGD. Upon completion of the improvements, the Conococheague Wastewater Treatment Plant will be capable of achieving an annual effluent total nitrogen goal of 3.0 mg/L and total phosphorus goal of 0.3 mg/L. The purpose of this project is to reduce nutrients to the Upper Potomac River and ultimately the Chesapeake Bay.

### **Project Funding Sources:**

	* • • • • • • • • • •
Bay Restoration Fund Grant BR-NR 01.22	\$19,271,609
Future Water Quality State Revolving Loan Fund/Local Funds	<u>\$12,804,970</u>
TOTAL ESTIMATED PROJECT COST	\$32,076,579

MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined that its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33, and State Clearinghouse comments and recommendations.





#### **MARYLAND DEPARTMENT OF THE ENVIRONMENT** 8.

**Recommendation:** That the Board of Public Works approve further funding up to \$575,000 to Somerset County for the Smith Island Wastewater Facilities Upgrade project. Funding may involve multiple sources which may include general obligation bond proceeds. (Legislative District 38A)

**Project Description:** This multi-phase project entails the planning, design, and construction of a new Biological and Enhanced Nutrient Removal (BNR/ENR) wastewater treatment plant (WWTP) at a design capacity of 45,000 gallons per day (gpd) located in Ewell, and the upgrade of the wastewater collection and conveyance system. The project includes decommissioning of the existing Tylerton WWTP, an overhaul of three existing pumping stations, and the construction of a new sanitary force main for the conveyance of wastewater from Tylerton to the new WWTP. Upon completion of this project, the new WWTP will be capable of achieving an effluent concentration goal of 3.0 mg/L for Total Nitrogen and 0.3 mg/L for Total Phosphorus. This will allow 83% reduction in nitrogen and 90% reduction in phosphorus, reducing nutrients to the Frances Gut and ultimately to the Chesapeake Bay. This request is for the planning and design phases.

### **Project Funding Sources:**

Bay Restoration Fund Grant BR-NR 03.20 (this action) \$375,000 CBWQ Supplemental Assistance, SWQH 15.20, MCCBL 2014-14004 (this action) \$200,000 CBWQ Supplemental Assistance Grant SWQH 15.20 (previous action 12/5/12) \$ 30,000 TOTAL ESTIMATED PLANNING AND DESIGN COST: \$605,000

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act, and Section 9-348 of the Environment Article, Maryland Code, Construction Grants or Loans; Water Quality Improvement.

MDE has determined that its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33, and State Clearinghouse comments and recommendations.





Contact: Ellen Frketic (410) 729-8307 efrke@menv.com

### 9. <u>MARYLAND ENVIRONMENTAL SERVICE</u> MCI Wastewater Treatment Plant – ENR Upgrade

Contract ID:	Wastewater Treatment Plant ENR Upgrade MES Project # 15-02-17R
Original Approval	Secretary's Agenda Item 16 (12/2/2015)
Award	Carl Belt, Inc., Cumberland

*Contract Description:* Replace and upgrade outdated or nonfunctioning equipment; add new tanks, piping, valves and process equipment to the wastewater treatment plant to meet ENR permit limits.

*Modification Description:* Add precast concrete manhole, safety grating and steps in the chemical building, extend fiber optic line to the wastewater treatment building; and increase rock excavation.

Original Contract Term:	730 Calendar days from Notice to Proceed
Modified Contract Term:	No change
Original Contract Amount:	\$11,495,000
Prior Modifications:	\$ 73,554
This Modification:	\$ 146,843
<b>Revised Total Amount:</b>	\$11,715,397
Percentage Increase:	1.3%
MBE Goal:	15%
MBE Compliance:	7.4%



### 9. <u>MARYLAND ENVIRONMENTAL SERVICE</u> (cont'd) MCI Wastewater Treatment Plant – ENR Upgrade

**Remarks:** This change order is necessary because: (1) the manhole is brick and cannot be core drilled for the new sewer; (2) a volume of 2,200 cubic yards of rock excavation was estimated, however about two times that amount has been removed; (3) additional grating and steps are needed at the chemical building to ensure personnel safety; and (4) the fiber optic line is necessary because the T-1 service is inadequate for the Supervisory Control and Data Acquisition system.

Fund Sources:	MCCBL of 2012	\$70,369
	MCCBL of 2015	\$ 3,782
	MDE ENR Grant	\$68,228
	<b>Operating Funds</b>	\$ 4,464
Appropriation Codes:	076 MCCBL 12 (PCA 11026)	
	176 MCCBL 15 (PC	CA 11083)







Contact: Catherine A. Kelly 410-576-6163 catherine.a.kelly26.nfg@mail.mil

### 10. <u>MILITARY DEPARTMENT</u> Volunteer Fire Company Assistance Fund Bay District Volunteer Fire Department, Incorporated

**Recommendation:** The Adjutant General of Maryland recommends that the Board of Public Works authorize a loan up to the amount of \$450,000 from the Volunteer Company Assistance Fund.

Authority: Sections 8-203 – 8-204, Public Safety Article, Maryland Code

**Background**: The Maryland State Firemen's Association has approved the request of the volunteer fire company and certifies that its recommendation complies with the requirements of the Volunteer Company Assistance Fund as set forth in the Public Safety Article. The Association and the volunteer companies have entered into agreements that the loan will be used as represented and that give the State appropriate and adequate security in the equipment or facilities purchased. The Military Department supports this recommendation and verifies that the funds are available in the Volunteer Company Assistance Fund for this loan.

Requestor	Purpose	Reason	Amount	Project Cost
<b>Bay District VFD, Inc.</b> St. Mary's County	Facility Renovation	Current facility inadequate	\$450,000	\$604,098

Interest Rate:1%Term:10 years/monthly payments

 Appropriation Code:
 D50H0106
 MISV3
 1433
 3001

By approving this recommendation, the Board of Public Works authorizes the Treasurer to disburse money from the Volunteer Company Assistance Trust Fund (appropriated to the Department of the Military) to the Association in the name of the volunteer companies.







Contact: Catherine A. Kelly 410-576-6163 catherine.a.kelly26.nfg@mail.mil

### 11. **MILITARY DEPARTMENT** Volunteer Fire Company Assistance Fund Eastern Garrett Volunteer Fire and Rescue Department

**Recommendation:** The Adjutant General of Maryland recommends that the Board of Public Works authorize a loan up to the amount of \$78,730 from the Volunteer Company Assistance Fund.

Authority: Sections 8-203 – 8-204, Public Safety Article, Maryland Code.

Background: The Maryland State Firemen's Association has approved the request of the volunteer fire company and certifies that its recommendation complies with the requirements of the Volunteer Company Assistance Fund as set forth in the Public Safety Article. The Association and the volunteer companies have entered into agreements that the loan will be used as represented and that give the State appropriate and adequate security in the equipment or facilities purchased. The Military Department supports this recommendation and verifies that the funds are available in the Volunteer Company Assistance Fund for this loan.

Requestor	Purpose	Reason	Amount	Project Cost
Eastern Garrett VFRD Garrett County	Rescue and vehicle extraction equipment	Replacement	\$78,730	\$104,973
Interest Rate: 1%				
Term:	5 years/annual payments			
Appropriation Code:	D50H0106	MISV3	1433 3001	

By approving this recommendation, the Board of Public Works authorizes the Treasurer to disburse money from the Volunteer Company Assistance Trust Fund (appropriated to the Department of the Military) to the Association in the name of the volunteer companies.





Contact: Catherine A. Kelly 410-576-6163 catherine.a.kelly26.nfg@mail.mil

### 12. <u>MILITARY DEPARTMENT</u> Volunteer Fire Company Assistance Fund Jefferson Volunteer Fire Company, Incorporated

**Recommendation:** The Adjutant General of Maryland recommends that the Board of Public Works authorize a loan up to the amount of \$100,000 from the Volunteer Company Assistance Fund.

*Authority:* Sections 8-203 – 8-204, Public Safety Article, Maryland Code.

**Background:** The Maryland State Firemen's Association has approved the request of the volunteer fire company and certifies that its recommendation complies with the requirements of the Volunteer Company Assistance Fund as set forth in the Public Safety Article. The Association and the volunteer companies have entered into agreements that the loan will be used as represented and that give the State appropriate and adequate security in the equipment or facilities purchased. The Military Department supports this recommendation and verifies that the funds are available in the Volunteer Company Assistance Fund for this loan.

Requestor	Purpose	Reason	Amount	Project Cost
Jefferson VFC, Inc. Frederick County	Ambulance	Re-Chassis	\$100,000	\$165,555

Interest Rate: 1%

*Term:* 5 years/semi-annual payments

*Appropriation Code:* D50H0106 MISV3 1433 3001

By approving this recommendation, the Board of Public Works authorizes the Treasurer to disburse money from the Volunteer Company Assistance Trust Fund (appropriated to the Department of the Military) to the Association in the name of the volunteer companies.





Contact: Gary McGuigan (410) 223-4118 gmcguigan@mdstad.com

## 13. MARYLAND STADIUM AUTHORITY

**Recommendation:** That the Board of Public Works approve the Maryland Stadium Authority accepting a grant of money from the Department of Housing and Community Development to pay for some of the costs of a feasibility study regarding the potential expansion of the Baltimore Convention Center.

### Authority:

- § 10-614(4), Economic Development Article, Annotated Code of Maryland: "Subject to the approval of the Board of Public Works, the [Stadium] Authority may: . . . receive and accept from any public or private source contributions, gifts , or grants of money . . . ."
- § 4-211(a)(7), Housing & Community Dev't Article, Annotated Code of Maryland.

*Grantor:* Department of Housing and Community Development

Recipient: Maryland Stadium Authority

*Amount:* \$250,000

*Fund Source:* DHCD Community Development Administration (§ 4-244(a), H&CD Article)

*Study Description:* The City of Baltimore requested the Maryland Stadium Authority to conduct various program and construction-related analyses to determine the program and technical feasibility for a proposed Baltimore Convention Center expansion. One of the tasks overseen by the Stadium Authority will be to explore whether the project should include the combined arena/convention center idea proposed by the Greater Baltimore Committee and the late Willard Hackerman or whether the Convention Center should be a stand-alone project.

The overall cost of the study is estimated to not exceed \$1,000,000, comprising:

		State Total:	\$626,667
		Commerce:	<b>\$250,000</b> *
		DHCD:	\$250,000
•	State:	Stadium:	\$126,667
٠	City:		\$313,333
•	GBC and Downtown Partnership:		\$60,000

\*The Department of Commerce grant will be obtained by the Baltimore Development Corporation and used by the Stadium Authority in accordance with § 10-622(d)(1), Economic Development Article.

The City and the State are splitting the public funding on a two-thirds/one-third basis. This formula has been used previously in the 2012 Baltimore Convention Center Market and Economic Study performed by Crossroads Consulting.



#### 13. MARYLAND STADIUM AUTHORITY (cont'd)

### Study Description: (cont'd)

The study will include:

- Programming based on market studies
- Due Diligence Studies may include: •
  - Site
  - Environmental
  - Traffic (pedestrians and vehicles)
  - Community/Business Impact (during design/construction)
  - Geo-technical
  - Miscellaneous
- Blocking/Stacking Studies/Engineering System Studies •
- Conceptual Designs •
- Updated economic impact analysis specific to renovated/expanded Baltimore Convention • Center from Crossroads Consulting.







Contact: Christian Lund (410)260-7920 clund@treasurer.state.md.us

## 14. <u>STATE TREASURER</u>

December 2016 Energy Performance Contract Lease-Purchase Financing

**Recommendation**: The State Treasurer recommends that the Board of Public Works approve the award to Banc of America Public Capital Corp of the December 2016 Energy Performance Contract Lease-Purchase Financing for the acquisition and installation of certain energy efficiency equipment by the Department of Health and Mental Hygiene, Springfield Hospital Center ("DHMH") and the Maryland Motor Vehicle Administration ("MVA"). This December 2016 Energy Lease will provide financing for \$4,682,772 in equipment purchases and related energy improvements and installation at facilities.

The Board approved the award of an Energy Performance Contract between DHMH and NORESCO on January 27, 2016 as Department of General Services ("DGS") Agenda Item 1-EP, and MVA and NORESCO on September 7, 2016 as DGS Agenda Item 2-EP.

Authority: Section 8-403, State Finance and Procurement Article, Annotated Code of Maryland.

*Term:* Financing Rate Lock Period: December 7, 2016 through December 22, 2016. Amortization Period: Interest begins accruing from date of closing. Principal and interest repayment begins in April 2018 and principal amortizes semi-annually thereafter until the final principal payment date in October 1, 2030 for the DHMH project and April 1, 2031 for the MVA project.

*Procurement Method:* Competitive Sealed Bids

Award:

Banc of America Public Capital Corp

*Bids:* The award was based on the lowest weighted average interest rate for the lease term of approximately 13.5 years.

Bidder's Name	Lowest Weighted Average -\$4,682,772
Banc of America Public Capital Corp	<mark>2.455%</mark>

MBE Goal:	None
Fund Sources:	DHMH and MVA operating budgets
Amount:	\$4,682,772 (DHMH - \$2,741,004 and MVA - \$1,941,768)





### 14. <u>STATE TREASURER</u> (cont'd)

December 2016 Energy Performance Contract Lease-Purchase Financing

**Remarks:** The State Treasurer's Office first issued an Invitation for Bids (IFB) for this energy lease financing on September 20, 2016. However, the September IFB was subsequently canceled because only one of the two bids submitted was qualified. The unqualified bid was rejected because the bidder would not agree to wait until after the eighteen month construction phase of the projects before receiving the first debt service payment. This delay in sending the first debt service payment to the lessor was due to the policies of the Department of General Services requiring positive cash flows in every fiscal year for all energy performance contracts.

In order to foster more competition, it was determined that the Office would cancel the IFB and work with the Department of General Services to find ways to restructure the projects to make it more appealing to bidders. However, efforts to restructure the projects were ultimately unsuccessful because the Department of General Services was unable to shorten the construction phase of the projects. Since the structure of the projects could not be altered, the second release of the IFB was identical to the first.

The second IFB was released on November 7, 2016. Three bids were received in response to the November IFB. Two bidders would not agree to the State's requirements in the IFB. After several communications to clarify terms submitted by one of the bidders, the bidder determined they could not commit to a fixed bid rate for the term of the lease. The second bidder indicated in their bid that they could not agree to the State's documentation without changes; and did not certify that they were unconditionally and irrevocably committed to provide the Lease financing as described in the IFB. Both bids were rejected as non-responsive. The remaining bid was evaluated on the fixed interest rate amount to be financed from December 22, 2016 through October 1, 2030 for DHMH and December 22, 2016 through April 1, 2031 for MVA. Despite the fact that only one bid was qualified, the State Treasurer's Office determined that the bid was fair and reasonable because it was competitive with the rate offered by the two rejected bidders for the November IFB, as well as the rates offered by the two bidders for the September IFB.

As indicated in the DGS Agenda Item 1EP, approved January 27, 2016 for DHMH, NORESCO guarantees that DHMH will realize a total energy savings of \$3,474,237 over 13 years following the energy project implementation period of approximately 18 months. This is calculated based on guaranteed savings of \$267,249 beginning in year one with annual escalations.

The DGS Agenda Item 2EP, approved September 7, 2016 for MVA, NORESCO guarantees that MVA will realize a total energy savings of \$6,791,945 over 13.5 years following the energy project implementation period of approximately 18 months. This is calculated based on guaranteed savings of \$503,107 beginning in year one with annual escalations.





### 14. <u>STATE TREASURER</u> (cont'd)

December 2016 Energy Performance Contract Lease-Purchase Financing

The winning bidder's proposed annual debt service costs for the December 2016 Energy Performance Contract Lease-Purchase Financing for DHMH is \$252,290.18, and for MVA \$173,102.90, an amount less than the annual guaranteed savings for each year of the Lease Agreement.

Following the December 2016 Energy Performance Contract financing, the remaining balance of the \$80.0 million approved by the Legislative Policy Committee for energy lease-purchase financing will be approximately \$75.3 million.





MARY

REVISED

Contact: Christian Lund (410) 260-7920 clund@treasurer.state.md.us

### 15. <u>STATE TREASURER</u>

Qualified Zone Academy Bonds of 2016

Submission of a recommendation by the State Treasurer for the adoption of the attached resolutions concerning the sale of State of Maryland, General Obligation Qualified Zone Academy Bonds of 2016 dated as of December 14, 2016, in the amount of \$4,680,000 (the "Bonds").

- Ratifying and approving:
  - (i) The resolutions authorizing the Bond Sale adopted November 16, 2016.
  - (ii) The Term Sheet dated November 30, 2016
  - (iii) The award of the Bonds to Capital One Public Funding by the Treasurer.
- Ordering the issuance of the Bonds to mature on December 15, 2031, subject to annual amortization in substantially equal annual amounts each December 15 until maturity, beginning on December 15, 2017, aggregating \$4,680,000 in principal amount and no supplemental, which shall earn federal tax credits at the rate of 4.67% per annum, as established by the U.S. Department of the Treasury on December 7, 2016.
- Directing the Interagency Committee on School Construction to monitor the administration of the Qualified Zone Academy Bonds Program.

**Remarks:** Qualified Zone Academy Bonds (QZAB) are special, federally-authorized tax-credit bonds that pay little or no interest ("supplemental coupon") but allow QZAB purchasers to receive federal income tax credits. The State Treasurer's Office received six proposals for the purchase of the Bonds. None of the proposals included a supplemental coupon. Though the interest rate of 0.0% was identical for all six proposals, there were several other differences. The proposals from BB&T Governmental Finance, Key Government Finance, Texas Capital, and Wells Fargo all stipulated the payment of legal fees by the State. This led the State Treasurer's Office to focus on the proposals from Capital One Public Funding and JPMorgan Chase which did not require the payment of legal fees. Of these proposals, the terms in the proposal from Capital One Public Funding were more advantageous to the State. The proposal from JPMorgan Chase includes both a rate lock breakage fee if the anticipated date of closure for the bonds is not met as well as a right to terminate the agreement prior to closing in the event of an adverse material change such as a rating downgrade for the State. Capital One Public Funding does not include either of these terms, meaning its proposal entails less risk for the State overall.

After review of all proposals and in consultation with the State Treasurer's Office and both internal and external bond counsel to the State, the State's financial advisor, Davenport & Company, LLC, recommended the Bonds be awarded to Capital One Public Funding.





## 15. <u>STATE TREASURER</u>

Qualified Zone Academy Bonds of 2016 (cont'd)

Chapter 198 of the Acts of the General Assembly of 2016 authorized the Qualified Zone Academy Bonds Loan of 2016 in the amount of \$4,680,000 representing the federal QZAB authorization for Maryland for calendar year 2014. QZAB proceeds, administered by the Interagency Committee for School Construction through the Aging Schools Program, are used to fund renovations, repairs and capital improvements at existing schools in which at least 35% of the students are eligible for free or reduced-price lunch. QZAB projects must have private business contributions equal to 10% of the project's cost.

Sections 54A and 54E of the Internal Revenue Code (the "Code") and Treas. Reg. §1.1397E-1 provide guidance on the maximum term, permissible use of proceeds and remedial actions for QZABs. Under Sections 54A and 54E of the Code, among the most significant requirements are the remedial actions to be taken under certain circumstances to protect the tax credit status of QZABs. For example, if QZAB proceeds are not spent on qualified projects within three years, the rules require that the unspent proceeds must be used to immediately redeem the QZABs. Similarly, Treas. Reg. §1.1397E-1(h)(8) requires that, in the event that a school that received QZAB financing ceases to be used as a public school at any time during the maximum 15 years the QZABs must be set aside in escrow for redemption of the QZABs at maturity, or, in the event of a cash disposition, cash proceeds equivalent to the QZABs must be used within two years for an alternative qualified project.

This Item will be revised before the December 7, 2016 meeting.

<b>BOARD OF PUBLIC WORKS</b>	THIS ITEM WAS:	
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOU	T DISCUSSION



APP 1

Contact: Jane Bailey 410-767-4307 Jane.Bailey@maryland.gov

### A1. <u>DEPARTMENT OF GENERAL SERVICES</u> Jessup Record Center and Fuel Lab

Contract ID:	Emergency Chiller Replacement ADPICS No.: 001B7400173; Project No.: BW-681-170-003		
Contract Type:	Maintenance		
Description:	Temporary trailer-mounted air chiller to maintain temperature and humidity at fuel testing lab		
Procurement Method:	Emergency		
Emergency Declared:	September 7, 2016		
Bids:	Fresh Air Concepts, LLC \$78,758		
Award:	Fresh Air Concepts, LLC		
Award Date:	September 7, 2016		
Contract Amount:	\$78,758		
Term:	45 calendar days		
MBE Participation:	0%		
Fund Source:	H00.17.77051.01.1498		

### Remarks:

*Nature of Emergency*: During the summer, the existing air chiller constantly required recharging of refrigerant; because the unit could not hold the charge, it could not keep the fuel testing lab at the proper temperature. Lab testing requires proper climate control. Workload requires that the fuel testing lab stay in operation. Immediate action was required to allow for the safe continuous operation of the lab testing area. While the purchase of a new 70-ton chiller was being processed, a temporary chiller had to be put in place.



## A1. <u>DEPARTMENT OF GENERAL SERVICES</u> (cont'd) Jessup Record Center and Fuel Lab

## Remarks: (cont'd)

*Basis for Selection:* Fresh Air Concepts responded immediately to the solicitation, diagnosed the problem, and advised the State of options, lead times, and temporary measures to make sure the lab remained operational.

Fresh Air Concepts was able to bring in the temporary unit in time to keep the lab functioning.

*Tax Compliance No.:* 16-3492-1111

Resident Business: Yes



### 1A. PROGRAM OPEN SPACE LOCAL SHARE **Baltimore** County

*Recommendation:* Approval to commit \$2,325,000 for the following development project.

Baltimore County Therapeutic Equestrian Facilities - \$2,325,000 **Baltimore County** POS #6597-3-470 MD20161011-0871

**Background:** Design and construct 9,800 square foot indoor equestrian arena, paddocks, storage facilities, parking, access roadways, walkways, and utilities, as well as renovations to structures at the Baltimore County Center for Maryland Agriculture and Farm Park. The new and renovated facilities will support and expand recreational and interpretative events, programs, and activities including therapeutic equine programming.

### Fund Source: ٦**٢** 1

Maryland Consolidated Capital Bond Loan of 2011, Chapter 396, Acts of 2011
Program Open Space – Local, FY 2012 Allocation
Source Code: 11051 Item 051 \$14,105.00
Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012
Program Open Space – Local, Prior Funds Replacement
Source Code: 12057 Item 057 \$14,557.00
Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013
Program Open Space – Local, Prior Funds Replacement
Source Code: 13080 Item 080 \$829,314.96
Maryland Consolidated Capital Bond Loan of 2014, Chapter 463, Acts of 2014
Program Open Space – Local, Prior Funds Replacement
Source Code: 14089 Item 089 \$1,428,080.96
Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015
Program Open Space – Local, FY 2016 Allocation
Source Code: 15162 Item 162 \$38,585.50
Outdoor Recreation Land Loan of 2009, Chapter 335, Acts of 2008
Program Open Space - Local Projects
Source Code: 09003 Item 903 \$356.58
BOARD OF PUBLIC WORKS THIS ITEM WAS:
APPROVED DISAPPROVED DEFERRED* WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

\* Motion to Defer approved 2-to-1; Treasurer voted no.

### 2A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Caroline County

*Recommendation:* Approval to commit \$20,700 for the following **development** project.

Preston Elementary School - \$20,700 Caroline County POS #6571-5-192 MD20160822-0760

**Background:** Construct improvements to athletic field and hard court areas at Preston Elementary School including pedestrian fencing, parking boundaries, athletic field fencing, paddle court resurfacing and seating, and landscaping.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015 Program Open Space – Local, FY 2016 Allocation Source Code: 15162 Item 162 \$19,644.10

Outdoor Recreation Land Loan of 2017, Chapter 27, Acts of 2016 Program Open Space Local Share Source Code: 17009 Item 009 \$1,055.90



### 3A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Carroll County

*Recommendation:* Approval to commit \$435,865 for the following development projects.

### 1. Bear Branch Tot Lot - \$105,030 POS #6589-6-354 MD20161011-0873

*Background:* Purchase and install playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010 Program Open Space - Local, Prior Funds Replacement Source Code: 10056 Item 056 \$105,030

### 2. *Krimgold Park Tot Lot - \$80,000* POS #6590-6-355 MD20161011-0872

*Background:* Purchase and install playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010 Program Open Space - Local, Prior Funds Replacement Source Code: 10056 Item 056 \$17,319.82

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012 Program Open Space – Local, Prior Funds Replacement Source Code: 12057 Item 057 \$20,424.26

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013 Program Open Space – Local, Prior Funds Replacement Source Code: 13080 Item 080 \$42,255.92

### 3A. **PROGRAM OPEN SPACE LOCAL SHARE** (cont'd) Carroll County

### 3. Mayeski Park Entrance Road - \$50,000 POS #6591-6-356 MD20161011-0874

**Background:** Repair park road including paving, two speed bumps, and striping.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010 Program Open Space - Local, FY 2011 Allocation Source Code: 10055 Item 055 \$4,824.98

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010 Program Open Space - Local, Prior Funds Replacement Source Code: 10056 Item 056 \$52.02

Outdoor Recreation Land Loan of 2008, Chapter 487, Acts of 2007 Program Open Space - Local Projects Source Code: 08006 Item 806 \$45,123.00

### 4. Carroll County Tennis and Basketball Courts - \$200,835 POS #6592-6-357 MD20161011-0875

**Background:** Renovate ball courts at Deer Park and Sandymount Park. The courts will be resurfaced, relined, and re-equipped for basketball, tennis, and pickleball.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013 Program Open Space – Local, Prior Funds Replacement Source Code: 13080 Item 080 \$200,835.00



### 4A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Montgomery County

*Recommendation:* Approval to commit \$323,500 for the following acquisition project.

*Kings Local Park Acquisition (St. Clair Property) - \$323,500* Montgomery County POS #6587-15-687 MD20161003-0849

**Background:** Acquire 0.51 additional acres for 23.97-acre Kings Local Park. The property is surrounded by the park and acquisition will provide additional open space for recreation use.

Appraised Value:	Peter Moholt	\$310,000
	Laura Lamb	\$325,000

**Property Cost:** \$317,500

Incidental Costs: \$ 6,000

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015 Program Open Space – Local, FY 2016 Allocation Source Code: 15162 Item 162 \$323,500

BOARD OF PUBLIC WORKS TH	IIS ITEM WAS:	
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOUT DISCU	USSION

## 5A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Washington County

*Recommendation:* Approval to commit \$428,514 for the following acquisition project.

*Funkstown Community Park Acquisition (Artz Property) - \$428,514* Town of Funkstown, Washington County POS #6586-21-339 MD20161003-0851

**Background:** Acquire 41.02 acres adjacent to Funkstown Community Park. This acquisition will more than double the acres of parkland in the Town. Future development of the property will include trails, picnic areas, and opportunities for nature observation.

Appraised Value:	R.J. Fennel, Inc. Bowers Appraisal Service, LLP		\$895,000 \$820,000
Property Cost:	\$779,380	POS Local portion	\$407,181

The Land and Water Conservation Fund is contributing \$365,750 toward the acquisition of this project; the County is contributing the remaining funds.

### Incidental Costs:

\$ 21,333

### Fund Source:

Outdoor Recreation Land Loan of 2017, Chapter 27, Acts of 2016 Program Open Space Local Share Source Code: 17009 Item 009 \$62,764.00

Land Acquisition and Planning – 2014 Federal Funds – Land & Water Conservation Fund Source Code: A0510 Item 010 \$365,750

<b>BOARD OF PUBLIC WO</b>	RKS THIS	<b>ITEM WAS:</b>		
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN	
WITH DISC		WITHOUT DISC	CUSSION	

### 6A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Wicomico County

*Recommendation:* Approval to commit \$190,800 for the following development projects.

### **1.** *Cope Bennett Playground Equipment - \$40,500* POS #6593-22-231 MD20161011-0867

**Background:** Remove 20-year-old equipment and install playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015 Program Open Space – Local, FY 2016 Allocation Source Code: 15162 Item 162 \$40,500

### 2. San Domingo Park Playground Equipment - \$40,500 POS #6594-22-232 MD20161011-0868

**Background:** Remove 20-year-old equipment and install playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015 Program Open Space – Local, FY 2016 Allocation Source Code: 15162 Item 162 \$40,500

**3.** Centennial Village Playground Basketball Court - \$54,900 POS #6595-22-233 MD20161011-0869

Background: Renovate basketball court including resurfacing and relining.

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015 Program Open Space – Local, FY 2016 Allocation Source Code: 15162 Item 162 \$40,953.06

Outdoor Recreation Land Loan of 2017, Chapter 27, Acts of 2016 Program Open Space Local Share Source Code: 17009 Item 009 \$13,946.94

### 6A. **PROGRAM OPEN SPACE LOCAL SHARE** (cont'd) Wicomico County

Crooked Oak Playground Basketball Court - \$54,900 4. POS #6596-22-234 MD20161011-0870

Background: Renovate basketball court including resurfacing and relining.

### Fund Source:

Outdoor Recreation Land Loan of 2017, Chapter 27, Acts of 2016 Program Open Space Local Share Source Code: 17009 Item 009 \$54,900



### 7A. <u>PROGRAM OPEN SPACE LOCAL SHARE</u> Worcester County

*Recommendation:* Approval to commit \$28,400 for the following **development** project.

### John Walter Smith Park Recreation Center Development Phase 6 - \$28,400 POS #5835-23-207 MD20100823-0867

*Background:* Install new sport court flooring system in recreation center at John Walter Smith Park. The removable interlocking flooring system will permit installation of two additional basketball or volleyball courts in the gym.

Prior Approvals:	\$118,350	(POS Item 4A(2) [Oct. 6, 2010])
	\$ 26,000	(DNR-RP Item 5A(2) [Aug. 22, 2012])
	\$ 28,800	(DNR-RP Item 11A(2) [Aug. 17, 2016])

### Fund Source:

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013 Program Open Space – Local, Prior Funds Replacement Source Code: 13080 Item 080 \$28,400



### 8A. <u>RURAL LEGACY PROGRAM FUNDS</u> Baltimore County

*Recommendation:* Approval to grant \$569,342 to The Land Preservation Trust, Inc. from Rural Legacy Funds to acquire a 78.09 acre conservation easement.

### Piney Run Rural Legacy Area - Scharff Property

<b>Prior Approvals:</b>	Piney Run Rural Legacy Area Grants for easement acquisitions:
	DNR-RP Item 5A (08/05/2015) \$646,000.00 for FY2016
	DNR-RP Item 8A (10/19/2016) \$1,160,000.00 for FY2017

**Project Description:** Acquisition of this easement will protect valuable agricultural and forest lands and provide 1,500 linear feet of forested stream buffers along unnamed tributaries to McGill Run which ultimately flows to the Loch Raven Reservoir. The easement will be held by the Department of Natural Resources and The Land Preservation Trust, Inc.

	· -	
Total Other Costs:	Administrative:	\$15,952
	Incidental:	\$13,677
	Program Compliance:	\$7,976
		\$37,605

\$531,737 (\$6,809 per acre)

Amount Requested: \$569,342

Easement Value:

Fund Source: Outdoor Recreation Land Loan – 2014, Chapter 423, Acts of 2013 Rural Legacy Program Item: 010 Amount: \$37,605 \$33,309.56 Source Code: A0510 Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015 **Rural Legacy Program** Source Code: 15400 Item: 400 Amount: \$531,737 Outdoor Recreation Land Loan - 2016, Chapter 310, Acts of 2015 Rural Legacy Program, Source Code: A0510 Item 010 Amount: \$4,295.44 **BOARD OF PUBLIC WORKS** THIS ITEM WAS: APPROVED DISAPPROVED DEFERRED WITHDRAWN WITH DISCUSSION WITHOUT DISCUSSION


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Larry Hogan, Governor Boyd Rutherford, Lt. Governor Mark Belton, Secretary Joanne Throwe, Deputy Secretary

> 2017 MAR 1 PMG:31 REC'D BPW

February 27, 2017

Ms. Sheila C. McDonald, Esq Executive Secretary to the Board of Public Works Louis L. Goldstein Treasury Building, Room 213 Annapolis, Maryland 21401-1991

Re: RLP 010-070 - Scharff Farm Easement - Board of Public Works Agenda Item 8A of December 07, 2016

Dear Ms. McDonald:

This is to respectfully request changes to the approved fund source of the above referenced Rural Legacy Program item on Supplement A of the Natural Resources Action Agenda of the Board of Public Works previously approved on December 7, 2016.

As approved by the Board of Public Works:

Outdoor Recreation Land Loan – 2014 Rural Legacy Program Chapter 423 Acts of 2013 Source Code: A0510 Item 010 \$37,605.00

Fund Sources Change Requested by the Department of Natural Resources (DNR):

2017 MAR 1 PM3:35

Outdoor Recreation Land Loan – 2014 Rural Legacy Program Chapter 423 Acts of 20130 Source Code: A0510 Item 010

Outdoor Recreation Land Loan – 2016 Rural Legacy Program Chapter 310 Acts of 2015 Source Code: A0510 Item 010

All other aspects of this Agenda Item remain as approved.

Reason: The Outdoor Recreation Land Loan – 2014 fund source originally requested by the Department, and approved by the Board of Public Works, lacked sufficient funds to cover the requested outlay due to prior approved projects in the FY2014 fund source at the time the funds were obligated to the above project. DNR respectfully seeks to move the award to a source where sufficient funds exist.

Thank you very kindly for your attention to this matter. Please call me at (410) 260-8432 or e-mail me at henry.kemp@maryland.govif you need additional information.

Sincerely H. Wesley Kemp, III

\$33,309.56

\$4,295.44

Program Financial Administrator - LAP

Contact: Emily Wilson (410) 260-8436 emilyh.wilson@maryland.gov

# 9A. <u>CONSERVATION RESERVE ENHANCEMENT PROGRAM</u> Stambaugh Property, Frederick County

*Recommendation:* Approval to grant \$ 323,049 to Frederick County from Program Open Space Stateside Funds to acquire a 52.61 acre Conservation Reserve Enhancement Program easement.

**Background/Prior Approvals:** Reference is made to Program Open Space Agenda Item 9A (September 16, 2009) in which the Board of Public Works approved the Conservation Reserve Enhancement Program (CREP) easement acquisition program and authorized the use of Program Open Space funds to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program (April 24, 2009).* 

**Project Description:** Acquisition of this CREP easement permanently protects water quality by requiring forested and vegetative stream buffers along 5,051 linear feet Little Pipe Creek and tributaries. As part of the transaction, the landowner will donate the remaining 59.43 acres of the farm into easement. The easement will be co-held by Frederick County and the Department of Natural Resources.

Easement Value:	\$316,215 (\$6,011 per acre)
Incidental Costs:	\$6,834

Total Amount Requested: \$323,049

**CREP Targeting:** The CREP easement program focuses its efforts on "Target Level 1" and "Target Level 2" counties where the easement practices will have the greatest impact on water quality. Targeting for CREP was a multiagency and conservation partnership organization effort that utilized nine high priority, science based, data sets and areas of special consideration developed from the past 10 years of research and study of water quality and natural resource conditions in the State's 134 watersheds. Frederick County is a Target Level 1 county.

#### 9A. <u>CONSERVATION RESERVE ENHANCEMENT PROGRAM</u> (cont'd) Stambaugh Property, Frederick County

*Easement Valuation System:* DNR uses an easement evaluation system based on:

- (1) whether the property is located within a "Target Level 1" or "Target Level 2" county;
- (2) the width of the buffers; and
- (3) the amount of land in the CREP contract that will be covered by the easement.

The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

#### Fund Source:

Maryland Consolidated Capital Bond Loan – 2014, Chapter 463, Acts of 2014 POS Stateside – Prior Year Funds Replacement Source Code: 14090 Item: 090 Amount: \$316,215.00

Outdoor Recreation Land Loan – 2016, Chapter 310, Acts of 2015 POS Stateside – Additional Acquisition Funds Source Code: A0510 Item: 010 Amount: \$6,833.75



Contact: William Leahy (410) 514-7903 William.leahy@maryland.gov

#### 10A. MARYLAND ENVIRONMENTAL TRUST

**Recommendation**: That the Board of Public Works ratify the following acquisitions of donated perpetual conservation easements.

id, Boonsboro Tax Map 0077,
L ·
Road, Boonsboro
2; Legislative
-
Road, Boonsboro
3; Legislative
orana
orana
orana 11 Road, Parkton
ll Road, Parkton



Contact: William Leahy (410) 514-7903 William.leahy@maryland.gov

#### 11A. MARYLAND ENVIRONMENTAL TRUST

*Recommendation*: That the Board of Public Works ratify amendments to a perpetual conservation easement and accept the restated deed.

*Property:* 127 acres, River Road, Poolesville Montgomery County Tax Map BR63, parcels P252, P230 and P720 Legislative District 15

*Grantor:* Bethesda-Chevy Chase Chapter Izaak Walton League of America, Inc.

*Grantee:* Maryland Environmental Trust and the Sugarloaf Countryside Conservancy, Inc.

**Background:** Reference is made to Item 36 on the Secretary's Agenda (Dec. 17, 1997) in which the Board of Public Works: (1) approved the Maryland Environmental Trust awarding funds to the Bethesda-Chevy Chase Chapter of the Izaak Walton League (B-CC Chapter) to acquire this property in fee simple; and (2) ratified the B-CC Chapter's donation of a conservation easement over the property to MET and Potomac Conservancy, Inc. [See deed of conservation easement (12/31/97) recorded Montgomery County Land Records, Liber 15665, Folio 60.]

In 2014, Potomac Conservancy, Inc. assigned its interest in the easement to Sugarloaf Countryside Conservancy, Inc.

**Proposed Amendments:** The purpose of the amendments and restatement is to: (1) require the B-CC Chapter to develop a forest stewardship plan that will differentiate best management practices between two types of woodland habitats on the property; and (2) update the easement with language used in the 2016 MET model conservation easement. The B-CC Chapter also seeks to correct an error in the forestry section of the easement.



Contact: Emily Wilson (410) 260-8436 emilyh.wilson@maryland.gov

# 12A. <u>PROGRAM OPEN SPACE STATE SHARE</u> Easement Valuation System

**Recommendation:** That the Board of Public Works:

- (1) Approve the Department of Natural Resources establishing an easement valuation system that DNR will use to determine the value of permanent conservation easements acquired with Program Open Space (POS) State Side funds; and
- (2) Exempt POS State Side acquisitions that are based on this easement valuation system from requirements for two appraisals and Board of Public Works signatures. (DNR would still obtain Board approval before making specific transactions).

#### Authority:

- (1) DNR, with the approval of the Board of Public Works, may acquire real property. § 1-109(a), (c), Natural Resources Article, Annotated Code of Maryland
- (2) The Board may exempt DNR projects from § 1-109 acquisition requirements. § 1-109(f), Natural Resources Article, Annotated Code of Maryland

*Explanation:* This proposal will make State Side POS acquisition valuations consistent with other DNR permanent easement programs, namely the Rural Legacy Program and the Conservation Reserve Enhancement Program (CREP). While each program may have a slightly different mission, they work together to conserve a mosaic of landscapes. This proposal is intended to align the valuation process for all DNR easement programs, providing a consistent, timely, and transparent process.

**Background:** The proposed easement valuation system for Stateside POS is a method using points to determine the value of a perpetual conservation easement. The system would function in the same manner as the Rural Legacy easement valuation system and the CREP easement valuation system. The three differ only in the assigned points that reflect each program's differing mission.

The beginning point for pricing the easement under POS State Side would be to determine the county (or regional) fair market value of the property using appraisals reviewed and accepted for POS State Side and the Maryland Agricultural Land Preservation Foundation. This fair market value is updated annually for each county or region. In determining the value of a conservation easement over the property, DNR will start with a base number of 20% of fair market value and then – based on a percentage checklist – the value will be increased by specific easement features that reflect conservation values that the POS State Side Program is intended to achieve.

#### 12A. <u>PROGRAM OPEN SPACE STATE SHARE</u> (cont'd) *Easement Valuation System*

#### **Background:** (cont'd)

Percentage points will be added for:

- Preservation of open space (number of development rights extinguished)
- Ecological value
- Amount of protected acreage
- Buffering and assisting DNR land management (if the property buffers existing DNR lands)
- Protection of Rare/Threatened/Endangered Species or Habitat
- Implementation of Best Management Practices to further conserve natural resources:

Forested stream buffers Impervious surface limitations Coastal Resiliency provisions

• Public access, including water access

The proposed final easement price will not exceed 75% of the real property's fair market value.

**Board of Public Works**: DNR will present each proposed easement acquisition to the Board of Public Works for approval. However, DNR seeks exemption from the § 1-109 requirements of (1) two appraisals for each acquisition; and (2) Board signatures on the acquisition documents. That same statute authorizes the Board to exempt DNR from any of the procedural requirements.

*Process:* DNR will partner with land trusts and local governments to facilitate and negotiate easements in a manner consistent with Rural Legacy and CREP. All legal documents and title will be reviewed by the Office of the Attorney General in a manner consistent with Rural Legacy and CREP.

*Targeting:* DNR will continue to use the POS Targeting System, beginning with an ecological screen that uses an ecological baseline to select Targeted Ecological Areas. The parcel screen is used to assess score and prioritize properties. Priority is also given to properties with high recreational, cultural, historical and key water access points, connections and in-holdings.

<b>BOARD OF PUBLIC W</b>	ORKS THIS	S ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DIS	SCUSSION (	WITHOUT DIS	CUSSION



DBM 1B

Contact: Dennis J. Krysiak 410-229-4109 dennis.krysiak@maryland.gov

#### 1-S. OFFICE OF ADMINISTRATIVE HEARINGS Services Contract

*Contract ID*: Court Reporting; OAH 16-02; ADPICS # D99B7400001

*Contract Description*: Provide court reporting services to include: recording testimony, transcription and furnishing transcripts or other media for administrative hearings and other events as needed.

Award:	CRC Salomon, Inc. Baltimore, MD
Term:	1/1/2017 - 12/31/2021
Amount:	\$550,980 (5 Years)
Procurement Method:	Competitive Sealed Proposals

#### Proposals:

Offerors	Technical Ranking	Financial Offer/Ranking	Overall Ranking
CRC Salomon, Inc. <i>Baltimore, MD</i>	2	\$550,980 (1)	1
For The Record, Inc. White Plains, MD	1	\$660,325 (2)	2

#### **MBE** Participation:

30%

Performance Security: None

Incumbent:

For The Record, Inc. White Plains, MD

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. A copy of the solicitation notice was sent directly to one prospective vendor, which is Maryland firm and certified MBE.



# **1-S.** OFFICE OF ADMINISTRATIVE HEARINGS (cont'd)

Two proposals were received in response to the RFP. Both proposals were determined to be reasonably susceptible of being selected for award. As per Section 5.5.3 of the RFP, technical and financial factors had equal weight in the overall ranking determination. CRC Salomon, Inc. (CRC) was ranked #1 overall with the lower ranked technical offer and the lower price. While For the Record, Inc. had the higher ranked technical offer, the price differential was determined to outweigh the technical differences between CRC and For The Record, Inc. Therefore, CRC is recommended for award as having the more advantageous offer to the State.

The financial proposal was based upon a model used in the RFP of the estimated number of (a) pages to be transcribed and turnaround timeframe; (b) court-reporting appearance fees; and (c) copy and delivery fees with offerors quoting firm fixed prices for each activity. The contractor will be paid based upon the actual number and types of services provided at the established firm fixed unit prices.

Fund Source:	100% Reimbursable	
Appropriation Code:	D99A11.01	
Resident Business:	Yes	
MD Tax Clearance:	16-2811-0111	





DBM 3B

Contact: Georgia A Peake 410-767-3763 GPeake1@mta.maryland.gov

#### 2-S. <u>MARYLAND DEPARTMENT OF TRANSPORTATION</u> Maryland Transit Administration/Light Rail Services Contract

Contract ID: Aerial Lift Truck Rental; AGY-16-014-EQ; ADPICS # J05B7400005

*Contract Description*: Vehicle lease of three insulated high rail aerial lift bucket trucks to supplement the Maryland Transit Administration's (MTA) fleet. The trucks are required for access to the Light Rail Overhead Catenary System (OCS) performing maintenance and emergency repairs to the system.

Awards:	TNT Equipment Sales & Rental, Inc. Cinnaminson, NJ	
Contract Term:	12/22/2016 - 12/21/2017	
Amount:	\$180,000 NTE (1 Year)	
Procurement Method:	Competitive Sealed Bidding	
Bids:	Only One Bid Received	
MBE Participation:	0% (Single Element of Work)	
Performance Security:	None	
Incumbent:	Same	

**Requesting Agency Remarks:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMaryland Marketplace* (eMM). Copies of the solicitation notice were sent directly to 10 prospective vendors, two of which are Maryland firms, and included no MBEs.

The Engineer's Estimate for this contract is \$182,000. The negotiated price of \$180,000 is \$2,000, or 0.01%, under the Engineer's Estimate.

In October 2015, an IFB for the rental of three insulated high rail aerial lift bucket trucks was advertised on eMM and MTA's website. The solicitation resulted in a single bid from TNT Equipment Sales & Rental, Inc. In an effort to stimulate interest and competition, the bid was cancelled. The specifications were reviewed for accuracy and to ensure they were not unreasonably restrictive. The new solicitation was advertised on eMM and MTA's website on April 19, 2016.



# 2-S. <u>MARYLAND DEPARTMENT OF TRANSPORTATION</u> (cont'd)

Although this was a second attempt to obtain fair and open competition, and the IFB was advertised for 30 days, providing vendors with sufficient time to respond to an IFB of this size and scope, a single bid was again received. The Procurement Officer conducted a survey of all the vendors that were notified of the solicitation, but did not submit a bid, including the vendors that downloaded the IFB from eMM and those that were directly solicited. The result of the survey indicated that many of the vendors do not provide the rail specific, insulated aerial lift trucks required or their fleet was already committed and not available to bid.

The MTA entered into negotiations with TNT Equipment Sales & Rental, Inc.; thereby reducing the price of \$212,400 by \$32,400, or 17%, for a one year total of \$180,000. By comparing the negotiated price to the independent cost estimate and current market prices, the negotiated award amount has been determined fair and reasonable.

This contract includes two insulated high rail bucket trucks with two man buckets with a 40 - 45 foot reach and one high rail bucket truck with a 50 foot reach with line and material handling capabilities for a twelve-month duration. The existing MTA bucket trucks are aging. Only three of six high rail bucket trucks owned by MTA are currently operational. Neither of the two currently leased trucks is operational.

MTA purchased two vehicles through a competitive procurement with a different contractor in 2014; however, when the trucks were delivered, they failed to meet the contract specifications and were rejected. At this time MTA anticipates the redesigned trucks to be delivered between 90 days and 120 days; however, those vehicles will still require inspection to ensure they now meet all specifications.

Fund Source:	100% Special (Rail Operations	
Appropriation Code:	J05H0104	
Resident Business:	No	
MD Tax Clearance:	16-2464-0111	



Supplement B Department of Budget and Management ACTION AGENDA December 7, 2016



DBM 5B

Contact: Debbie Thornton 410-230-3322 Debbie.Thornton@Maryland.gov

# **3-S.** <u>DEPARTMENT OF JUVENILE SERVICES</u>

**Behavioral Health Services** Services Contract

*Contract ID*: Community Sex Offender Treatment Services for Youth in the Southern Region of Maryland; 16-BH-001; ADPICS # V00B7400088

*Contract Description*: Provide community sex offender treatment, assessments, and counseling services for youth that reside in the Southern Region of Maryland.

Award:	Center for Children, Inc. LaPlata, MD
Term:	1/1/2017 - 12/31/2019
Amount:	\$766,850 (3 Years)
Procurement Method:	Competitive Sealed Bidding

#### **Bids:**

Bidders	Anne Arundel County Region Bids	Tri-County Region Bids (Charles, Calvert, St. Mary's)	All Regions Bids
Center for Children, Inc. LaPlata, MD	\$428,900	\$337,950	\$766,850
Anne Arundel Counseling, Inc. Glen Burnie, MD	\$644,700	No Bid	N/A
D. Gambles & Associates, LLC College Park, MD	\$727,050	\$574,250	\$1,301,300
Compass Mental Health Consultants, LLC Severn, MD	\$957,750	No Bid	N/A

MBE Participation:0% (see Requesting Agency Remarks)MBE Waiver:6%Incumbent:Anne Arundel Counseling, Inc.<br/>Glen Burnie, MD



# **3-S. <u>DEPARTMENT OF JUVENILE SERVICES</u> (cont'd)**

**Requesting Agency Remarks:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMaryland Marketplace*. Eight bids were received in response to the IFB, five bids for the Anne Arundel County Region and three bids for the Tri-County Region. The three bids for the Tri-County Region also bid on the Anne Arundel County Region and were, therefore, considered for all Regions. However, two bids were determined to be not responsive because they did not include any MBE forms and were rejected. In the IFB, DJS reserved the right to make awards on a "per county" basis. Center for Children, Inc., submitted the lowest responsive bids for both regions, and was determined to be a responsible bidder and its bids met the technical requirements set forth in the IFB. Therefore, award is recommended to Center for Children, Inc.

Services to be provided for the Community Sex Offender Treatment Program include:

- Weekly group counseling sessions;
- Individual counseling, family counseling, crisis intervention and/or diagnostic interview sessions, if clinically warranted; and
- Full or updated psychosexual assessments.

A 6% MBE participation goal and 0% VSBE goal were established for this contract; however, the recommended awardee requested and was granted a full waiver of the MBE participation goal.

Fund Source:	100% General
Appropriation Code:	K0101
Resident Business:	Yes
MD Tax Clearance:	16-3767-0110

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:				
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN	
WITH DI	SCUSSION	WITHO	UT DISCUSSION	



DBM 7B

Contact: Sandy Johnson 410-767-7408 sandy.johnson@maryland.gov

# 4-S. <u>DEPARTMENT OF HUMAN RESOURCES</u>

Social Services Administration/Foster Care Maintenance Payments Program Services Contract

Contract ID: Out-of-State Residential Child Care; SSA/OOS-17-008; ADPICS # N00B7400233

*Contract Description*: Provide continuation of out-of-state placement services for a youth with problematic sexual behaviors.

Award:	Mille Lacs Academy Onamia, MN
Term:	1/1/2017 - 12/31/2017
Amount:	\$191,041 NTE (1 Year)
Procurement Method:	Sole Source (Continuity of Care)
Bids/Proposals:	N/A
MBE Participation:	None
Performance Security:	None
Incumbent:	Same

*Requesting Agency Remarks*: Request for approval to award a Sole Source contract for continuity of care residential child care services at the Mille Lacs Academy located in Onamia, Minnesota for an 18-year old youth with problematic sexual behaviors.

Before placing a youth with an out-of-State provider, regulations require the Local Department of Social Services (LDSS) to exhaust all in-State placement options and to document those efforts. Additional in-State, as well as out-of-State providers that are under contract to DHR were researched; however, none were able to accept the youth.

On September 15, 2016, the youth was placed with the provider under an emergency contract that expires on December 31, 2016. It was determined by the LDSS that the Mille Lacs Academy located in Onamia, Minnesota was the most appropriate placement for the youth as they serve male youth with significant mental health issues and unhealthy/problematic sexual behaviors, as well as other special needs and/or lower intellectual functioning.



# **4-S.** <u>**DEPARTMENT OF HUMAN RESOURCES**</u> (cont'd)

At this time, the youth's length of stay at Mille Lacs is unknown, as it will be based upon the youth's level of improvement. The youth will age-out of the care of DHR/SSA in August, 2020. Until such time as the youth ages-out, he will remain in the care of DHR/SSA.

Per the child's Social Worker, the care is working; however, additional care is needed. The Mille Lacs Academy is aware of the physical, emotional and behavioral needs of the youth and has agreed to provide continuance of care. This is a not-to-exceed (NTE) per diem contract where the provider is paid solely for the one child per day. As such, DHR will not be charged for any unused capacity.

The provider's daily per-diem rate includes services for: (1) therapy, including room and board; (2) education; and (3) psychological services. The rate is a pass through amount charged to the provider by independently contracted psychologists. They provide monthly consultation with the youth and medication management.

The State of Minnesota does not approve the provider's rates which are subject to change upon notice. The rates have been determined to be fair and reasonable based upon the per-diem rates for these out-of-State provider contracts have been approved by the Maryland Department of Education, Non-Public Special Education Section.

Residential Child Care programs are defined in COMAR 14.31.02.03B(13) as "a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law." COMAR 14.31.06.01 articulates the standards that must be met and maintained by residential child care programs for children and youth. These requirements are designed to protect the health, safety, and well being of children placed in residential child care programs.

According to the State Finance and Procurement Article Section 13-107 and COMAR 21.14.01.06C (Sole Source Contracts); in order to provide continuity of human or social services care to current third-party clients, the procurement officer shall, before the contract with the current provider expires, attempt to negotiate a sole source contract with the current provider. . . (b) Based on an assessment by a licensed or certified health practitioner, the head of a funding unit determines that a change in the human or social services provider would have a detrimental impact on those clients currently being served by the provider. The licensed or certified health practitioner shall be a psychologist, social worker, physician, nurse, or qualified developmental disabilities professional, as defined in COMAR 10.22.03.01B(25).

The Governor's Office for Children is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State jurisdictions.



#### 4-S. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)

No MBE participation goal was established for this contract because the services are being provided at a facility located outside the State of Maryland.

Fund Source:66% General; 34% Federal (Title IV-E)Appropriation Code:N00G0001Resident Business:NoMD Tax Clearance:16-3183-0000





Contact: Sandy Johnson 410-767-7408 Sandy.Johnson@Maryland.gov

#### 5-S. <u>DEPARTMENT OF HUMAN RESOURCES</u> Social Services Administration/Foster Care Maintenand

Social Services Administration/Foster Care Maintenance Payments Program Services Contract

Contract ID: Out-of-State Residential Child Care; SSA/OOS-17-013; ADPICS # N00B7400255

*Contract Description*: Provide out-of-state placement services for a self-injurious youth with severe psychiatric illness.

Award:	Bellefaire JCB Shaker Heights, OH
Term:	1/1/2017 - 12/31/2017
Amount:	\$289,583 NTE (1 Year)
Procurement Method:	Sole Source (Continuity of Care)
Bids/Proposals:	N/A
MBE Participation:	None (See Requesting Agency Remarks)
Performance Security:	None
Incumbent:	Same

*Requesting Agency Remarks*: Request for approval to award a Sole Source contract to provide continuity of care residential child care services at the Bellefaire JCB facility located in Shaker Heights, Ohio for a 14-year old self-injurious youth with severe psychiatric illness.

Before placing a youth with an out-of-State provider, regulations require the Local Department of Social Services (LDSS) to exhaust all in-State placement options and to document those efforts. Additional in-State, as well as out-of-State providers that are under contract to DHR were researched; however, none were able to accept the youth.



# **5-S. <u>DEPARTMENT OF HUMAN RESOURCES</u>** (cont'd)

On September 12, 2016, the youth was placed with the provider under an emergency contract that expires on December 31, 2016. It was determined by the LDSS that the Bellefaire JCB was most appropriate, as it provides residential treatment services for youth with severe mental health needs, as well as services for those with demonstrated self-injurious, risk-taking, and aggressive behaviors. At this time, the youth's length of stay at Bellefaire JCB is unknown as it will be based upon the youth's level of improvement. The youth will age-out of the care of DHR/SSA in June, 2022. Until such time as the youth ages-out, he will remain in the care of DHR/SSA.

Per the child's social worker, the care is working; however, additional care is needed. Bellefaire JCB is aware of the physical, emotional and behavioral needs of the youth and has agreed to provide continuance of care. This is a not-to-exceed (NTE) per diem contract where the provider is paid solely for the one child per day. As such, DHR will not be charged for any unused capacity.

The rates under this contract have been determined to be fair and reasonable as the State of Ohio has confirmed the provider's rates are standard for the services provided, and the per-diem rates for out-of-State provider contracts have been approved by the Maryland Department of Education, Non-Public Special Education Section.

Residential Child Care programs are defined in COMAR 14.31.02.03B(13) as "a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law." COMAR 14.31.06.01 articulates the standards that must be met and maintained by residential child care programs for children and youth. These requirements are designed to protect the health, safety, and well being of children placed in residential child care programs.

According to the State Finance and Procurement Article Section 13-107 and COMAR 21.14.01.06C (Sole Source Contracts); in order to provide continuity of human or social services care to current third-party clients, the procurement officer shall, before the contract with the current provider expires, attempt to negotiate a sole source contract with the current provider. . . (b) Based on an assessment by a licensed or certified health practitioner, the head of a funding unit determines that a change in the human or social services provider would have a detrimental impact on those clients currently being served by the provider. The licensed or certified health practitioner shall be a psychologist, social worker, physician, nurse, or qualified developmental disabilities professional, as defined in COMAR 10.22.03.01B(25).

No MBE participation goal was established for this contract because the services are being provided at a facility located outside the State of Maryland.



# **5-S. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)**

Fund Source:	66% General; 34% Federal (Title IV-E)
Appropriation Code:	N00G0001

**Resident Business:** 

No

MD Tax Clearance:

16-3297-0000





DBM 13B

Contact: John Papavasiliou 410-230-6225 John.papavasiliou@maryland.gov

# 6-S. <u>DEPARTMENT OF LABOR, LICENSING AND REGULATION</u>

Division of Occupational and Professional Licensing (O&P) Services Contract

*Contract ID*: Occupational Testing Examination Services for the Department of Labor, Licensing and Regulation; DLLR-FY2016-010; ADPICS # P00B7400017

*Contract Description*: Develop examinations and provide professional electronic testing and related services for the State Boards of Heating, Ventilation, Air Conditioning and Refrigeration (HVACR) Contractors, Master Electricians, Stationary Engineers, Plumbing and the Commission of Real Estate Appraisers.

Award:	PSI Services, LLC Burbank, CA
Term:	1/1/2017 - 12/31/2021
Amount:	\$860,000 (5 Years)
Procurement Method:	Competitive Sealed Proposals
Proposals:	Only One Proposal Received
MBE Participation:	None (Single Element of Work)
Performance Security:	N/A
Incumbent:	Same

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to four prospective vendors, two of which are Maryland firms, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

A single proposal was received in response to the RFP, and it was determined to be reasonably susceptible of being selected for award. In addition, the offeror was determined to be responsible; the financial offer was considered fair and reasonable; and it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to PSI Services, LLC, the sole offeror and incumbent.



# 6-S. <u>DEPARTMENT OF LABOR, LICENSING AND REGULATION</u> (cont'd)

Because of the low response to this solicitation, other prospective vendors were called to inquire why they chose not to propose to this RFP. These vendors stated they did not submit proposals because they believe that they could not be competitive since they do not own examination facilities; whereas PSI, the incumbent, owns several examination facilities throughout Maryland and does not have to incur additional cost for renting or leasing examination testing space.

This contract provides for the development of valid and defensible licensing examinations and a standardized electronic examination process which increases the efficiency and frequency of administering qualifying examinations testing the minimum competency of those candidates seeking licensure within the authority of DLLR and the Boards of HVACR Contractors, Master Electricians, Stationary Engineers, Plumbing, and Commission of Real Estate Appraisers.

The services include offering electronic examinations; developing examination questions and candidate information handbooks; developing applications; providing handbooks and applications to applicants; receiving and processing completed applications; determining eligibility; administering and grading examinations; notifying applicants and the Boards of results; providing examination reviews for unsuccessful candidates; providing instructions to successful applicants in accessing both the electronic and manual licensing processes; supplying original license applications to successful applicants; and supplying related accounting and supporting computerized reports, as needed. These services are to be provided for persons seeking licensure to the Boards listed above.

DLLR has privatized examination administration and related services for occupational and professional licensing boards and commission. This has been done by utilizing national testing companies capable of providing a broad array of services to the State. Most important has been the conversion from infrequent paper and pencil testing to daily computer based testing (CBT). The examination fees charged for the following Boards and Commission are: \$65.00 per examination for Master Electricians, Plumbing and Examining Engineers, \$50.00 per examination for HVACR Contractors, and \$100.00 per examination for Real Estate Appraisers. These fees cover the contract amount and maintain a revenue neutral contract without the State having to cover any of the costs.

Services encompassed by the contract include:

- Creation and maintenance of a basic data file, one for each candidate, which is electronically transferred to the State upon passage of the exam by the individual.
- Application evaluation by qualified evaluators.
- Notification of official test results to candidates and provision of electronic licensing or other licensing process information as directed by the State.
- CBT administration with immediate result scoring to be available at four geographically diverse locations around the State.
- Development of psychometrically valid licensing examinations for multiple categories of licensure for each board and commission.



# 6-S. <u>DEPARTMENT OF LABOR, LICENSING AND REGULATION</u> (cont'd)

The General Assembly has amended the individual licensing statutes to allow Boards to set fees to recover the cost of private sector testing. Pertinent provisions governing examinations, fees and the use of national testing companies may be found in the Annotated Code of Maryland Business Regulations Article, Title 9 (HVAC) and the Annotated Code of Maryland Business Occupations and Professions Article, Title 6 (Master Electricians), Title 12 (Plumbing), and Title 16 (Appraisers), as well as the new statutes governing the licensure of stationary (Examining) engineers (Chapter 613, Laws of 2005). Examination fees are paid directly to the Contractor by the candidate.

Fund Source:	100% Special (Exam Fees)	
Appropriation Code:	P00F0101	
Resident Business:	No	
MD Tax Clearance:	16-3901-1110	





DBM 16B

Contact: Laura.Mullally 410-339-7339 Laura.Mullally@maryland.gov

#### 7-S. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> Department of Pretrial and Detention Services

Services Contract

*Contract ID:* Mental Health Monitoring Services under Duvall Settlement Agreement; DPSCS # Q00017053; ADPICS # Q00B7400064

*Contract Description*: Contract for mutually-agreed upon Mental Health Monitor of the Department's compliance with mental health provisions of the Settlement Agreement in *Jerome Duvall, et al. v. Lawrence J. Hogan, et al.* (D.Md. Civil No. 94-cv-02541)("Duvall").

Award:	Raymond F. Patterson, M.D. Washington, D.C.
Term:	12/8/2016 - 6/28/2020
Amount:	\$142,120 (Approx. 3 <sup>1</sup> / <sub>2</sub> Years)
Procurement Method:	Sole Source
MBE Participation:	None
Incumbent:	None

Agency Remarks: After receiving requisite approval of the Board of Public Works on November 18, 2015, the Department executed a Settlement Agreement ("the Agreement") in Duvall under which the parties agreed that the Department's compliance with the Agreement's substantive provisions would be assessed by three mutually agreed-upon monitors - one for the medical provisions, one for the mental health provisions, and one for the physical plant provisions. Upon agreement of the parties, the federal court ordered that the monitor for the mental health provisions would be the Contractor, Raymond F. Patterson, MD, D.F.A.P.A. On June 28, 2016, the Court fully and finally approved the Agreement, and according to that Order, the Contractor is the only source that can provide the services sought and purchased by this Contract. As set forth in the Agreement, the Contractor will make on-site inspections at the Baltimore City Detention Center, provide technical assistance to the Department to achieve compliance with the terms of the Settlement Agreement, and issue reports stating whether the Department has achieved substantial compliance with the terms of the Agreement.



# 7-S. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> (cont'd)

No

Fund Source:

100% General

Appropriation Code: Various

Resident Business:

*MD Tax Clearance:* 16-3890-0110



REVISED



Contact: Dorothy M. Richburg 410-554-9285 dorothym.richburg@maryland.gov

# 8-S. MARYLAND STATE DEPARTMENT OF EDUCATION

Division of Rehabilitation Services (DORS) Maryland Business Enterprise Program for the Blind (MD BEP) Services Contract

*Contract ID*: Maryland Interstate Welcome Centers and Rest Stops Vending Services; ADPICS # R00B7400048

*Contract Description*: Provide full service automatic vending machines to vend a variety of products such as snacks and beverages, including healthy food selections at Rest Stops and Welcome Centers for the Maryland Business Enterprise Program for the Blind (MD BEP).

Award:	Service 1 <sup>st</sup> Vending Baltimore, MD
Term:	2/1/2017 – 1/31/2020 (w/2 one-year renewal options)

Amount:

<u>Estimated Sales:</u> \$2,760,000 (Base, 3 Years) \$ 920,000 (Renewal Option 1, 1 Y <u>\$ 920,000</u> (Renewal Option 2, 1 Y \$4,600,000 Total (5 Years)	
Procurement Method:	Competitive Sealed Bidding
Bids:	See page 22B
MBE Participation:	10% (See Requesting Agency Remarks)
Performance Security:	None
Incumbent:	Compass Group USA/Canteen Suitland, MD

**Requesting Agency Remarks:** A notice of the availability of the Invitation for Bids (IFB) was published on *eMaryland Marketplace*. Copies of the solicitation notice were emailed directly to 14 prospective vendors, 13 of which are Maryland firms, and included eight MBEs.

REVISED



# 8-S. <u>MARYLAND STATE DEPARTMENT OF EDUCATION</u> (cont'd)

Six bids were received in response to the IFB. The responsive bid with the highest priced commission rate was received from Service 1<sup>st</sup> Vending, who was determined to be a responsible bidder. Therefore, award is recommended to Service 1<sup>st</sup> Vending.

The Division of Rehabilitation Services, Maryland Business Enterprise Program (MD BEP) administers the blind vending program with the active participation of the Committee of Blind Vendors under the Randolph Sheppard Act, 20 U.S.C. §107, 34 C.F.R. §395, 23 U.S.C. §111, State Finance and Procurement Art. §14-109, and COMAR 13A.11.04.

The MD BEP vending program provides training and self-employment business opportunities to legally blind individuals who operate a variety of businesses including snack bars, cafeterias, coffee shops, convenience stores and micro markets located on federal and State properties. There are 70 Randolph-Sheppard businesses operated by blind Maryland entrepreneurs located on federal and State properties throughout Maryland. In addition to these businesses, the MD BEP contracts for automatic vending machines services on State properties, including the Welcome Centers and Highway Rest Stops.

This is a revenue generating contract that will provide automated vending machine services at all Welcome Centers and Highway Rest Areas throughout the State. The contractor will install, maintain, and operate vending machines that are not more than two years old and of the highest quality standards set by the industry. The contractor is also required to complete various reports detailing machine activity, and providing prompt customer service to resolve problems.

The rest areas included in this contract are:

- 1-95 North & South
- I-70 East & West
- 1-68 Sideling Hill East & West
- I-68 Friendsville
- US-15 Emmittsburg
- US-301 Bay Country
- US-13 Pocomoke
- US-301 Crain Highway

The payments made to MD BEP will constitute a percentage of gross sales of all products sold as a result of vending machine operations.

A 10% MBE participation goal was established for this contract based on the available subcontracting opportunities and the number of available subcontractors for these services. No VSBE participation goal was established for this contract based upon the limited amount of veteran businesses that provide vending machine services.





#### 8-S. **MARYLAND STATE DEPARTMENT OF EDUCATION** (cont'd)

On November 22, 2016, Canteen Vending, the incumbent, filed an untimely protest against the award to Service 1<sup>st</sup> Vending. MD BEP denied the protest on November 30, 2016 based upon its merits as well as its untimeliness.

Fund Source:	100% Special (Revenue Generating)
Appropriation Code:	R00A0120
Resident Business:	Yes
MD Tax Clearance:	16-3238-1111

Bids (cont'd):

Bidders	Commission to be Paid to MD BEP
Service 1 <sup>st</sup> Vending Baltimore, MD	51%
Canteen Vending Hanover, MD	44.3%
Gilly Vending, Inc. <i>Miami, FL</i>	43.2%
Royalle Dining Services Dunkirk, MD	43.1%
Jel-Cap Vending Baltimore, MD	38.5%
Black Tie Services Baltimore, MD	35.4%

This Item was withdrawn as Item 5-S from the 11/16/2016 Agenda.





DBM 21B

Contact: Allen Cartwright 301-429-7629 Allen.cartwright@maryland.gov

#### **9-S.** <u>DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT</u> Division of Credit Assurance Service Contract

*Contract ID:* Sub-Servicer for State-Funded Single Family, Multifamily, and Small Business Loans; ADPICS #S00B7400016

*Contract Description:* Provide sub-servicing services to include maintaining records, collecting and remitting payments, collecting and managing escrows (including the payment of insurance and taxes), responding to borrowers' inquiries, performing loss mitigation, recommending and participating in foreclosures, processing claims, and related activities covered under the contract.

Award:	AmeriNational Community Services, LLC, d/b/a AmeriNat Albert Lea, MN (local office in Baltimore, MD)
Term:	12/22/2016 (or earlier upon BPW approval) – 12/31/2021 (w/2 five-year renewal options)
Amount:	<u>Service Categories 1, 2 &amp; 3</u> : \$ 3,700,000 (5 Years, Base) \$ 4,100,000 (5 Years, Renewal Option #1) <u>\$ 4,700,000</u> (5 Years, Renewal Option #2) \$12,500,000 Total (15 Years)
Procurement Method:	Competitive Sealed Proposals

#### **Proposals:**

Service Category 1:

Offerors	Technical Ranking	Total Evaluated Financial Price/Ranking	Overall Ranking
AmeriNat Albert Lea, MN	1	\$7,994,381.40 (1)	1
Dovenmuehle Lake Zurich, IL	2	\$13,446,196.28 (2)	2

Service Categories 2 & 3:

Only One Proposal Received for Service Categories 2 & 3

**MBE** Participation:

15% (See Requesting Agency Remarks)



#### **9-S.** <u>**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (cont'd)</u>

#### Incumbent:

Bogman, Inc. Silver Spring, MD

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 36 prospective vendors, nine of which are Maryland firms, and included seven MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

The purpose of this contract is to service state-funded loan portfolios, including single family loans, multifamily loans, and small business loans. Offerors were encouraged to submit proposals for one up to all Service Categories: Service Category 1 - Single Family Loans; Service Category 2 – Multi-Family Loans; and Service Category 3 - Small Business Loans.

Two proposals were received in response to the RFP for Service Category 1, both of which were determined to be reasonably susceptible of being selected for award. AmeriNational Community Services, LLC, d/b/a AmeriNat, was ranked #1 overall with the higher ranked technical proposal and the lower price; therefore, award is recommended to AmeriNat as having the more advantageous offer for the State for Service Category 1.

One proposal was received in response to the RFP for each of Service Categories 2 and 3, both of which were determined to be reasonably susceptible of being selected for award. In addition, the offeror was determined to be responsible; the financial offers were considered fair and reasonable based upon industry standards. And it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to AmeriNat, the sole offeror, for Service Categories 2 and 3.

The *Award Amount* is based upon the DHCD budget for state-funded loan servicing. The *Financial Proposals* were based upon a model in the RFP to obtain fixed unit prices for completing the entire project for the particular Service Category.

A 15% MBE participation goal was established for this contract based upon limited subcontracting opportunities as a result of a drastic shift in the federal regulatory environment and strict oversight by the Consumer Financial Protection Bureau.

*Fund Source:* 100% Special (General Bond Reserve Fund) *Approp. Code:* S00A2202

**Resident Business:** 

**MD Tax Clearance:** 16-3521-0111



Yes



DBM 23B

Contact: Bambi Turner 410-339-5027 Bambi.Turner@Maryland.Gov

#### **10-S-OPT.** DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES Division of Parole and Probation Services Contract Renewal Option

Contract ID: Female Transitional Housing; Q0013011, ADPICS # Q00B7400055

Contract Approved:DBM Item 7-S (12/19/2012)Contractor:Marian House, Inc.<br/>Baltimore, MD

*Contract Description*: Provide transitional housing and services for women being supervised by Community Supervisions, formerly the Division of Parole and Probation, in the Baltimore area.

<b>Option Description:</b>	Exercise the second one-year renewal option.
Original Contract Term:	1/1/2013 - 12/31/2015 (w/2 one-year renewal options)
<b>Option Term:</b>	1/1/2017 - 12/31/2017
Original Contract Amount:	\$550,032 (3 Years)
<b>Option Amount:</b>	\$265,724 (1 Year)

*Prior Modifications/Options:* \$190,724 [Opt #1: 1/1/2016 - 12/31/2016: Approved by DBM and reported on the February 2016 PAAR]

<b>Revised Total Contract Amount:</b>	\$1,006,480
<b>Original Procurement Method:</b>	Competitive Sealed Bidding
MBE Participation:	12%
MBE Compliance:	13%

*Requesting Agency Remarks:* Request for approval to exercise the second and final one-year renewal option as contained in the original contract to provide transitional housing for females.



# **10-S-OPT. DEPT OF PUBLIC SAFETY & CORRECTIONAL SERVICES** (cont'd)

Marian House, Inc. provides transitional housing for women in or returning to the Baltimore area, who are being or will be supervised by Community Supervisions. Additionally, the accessibility of public transportation in metropolitan Baltimore from the Marion House enables clients to receive other community services they need. Moreover, the structure of the program creates an environment where there is bonding among the residents and a therapeutic rapport is established.

This program will help reduce the percentage of offenders re-entering the correctional system.

Marian House, Inc. has provided consistent high-quality results providing specialized residential life management training services to the residents. They have over 25 years of experience in treating criminally involved women and engaging them with individualized case planning. Marian House provides a complete therapeutic community that allows women an active role in their recovery and family reintegration.

While the department plans to competitively procure transitional housing and services for women, it is unclear from the current research if there are other comparable vendors offering this type of transitional women's housing, plus all related services offered by Marian House, within Baltimore City. Exercising the renewal option is in the best interest of the State to allow time to conduct a competitive procurement to determine if there are other potential vendors available within Baltimore City to provide these transitional services that are willing to propose on the solicitation for a new services contract.

Fund Source:	100% General
Appropriation Code:	Q00A0202

Resident Business: Yes





DBM 25B

Contact: John Maneval 301-429-7714 john.maneval@maryland.gov

#### 11-S-OPT. <u>DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT</u> Community Development Administration Multifamily Low Income Housing Tax Credit Program Services Contract Renewal Option

*Contract ID:* Tax Credit Compliance Monitoring; ADPICS #S00B7400018

Contract Approved:	BPW Item 4-S (1/2/2013)
Contractor:	Spectrum Enterprises, Inc.
	Cape Elizabeth, ME

*Contract Description*: Perform required tax credit compliance monitoring involving periodic physical inspections and on-site file reviews of properties owned by participants in the federal Low Income Housing Tax Credit (LIHTC) Program in Maryland.

<b>Option Description:</b>	Exercise the second one-year renewal option.
Original Contract Term:	1/10/2013 – 1/9/2016 (w/2 one-year renewal options)
Option Term:	1/10/2017 - 1/9/2018
Original Contract Amount:	\$1,500,750 (3 Years)
<b>Option Amount:</b>	\$500,250 (1 Year)
<i>Prior Modifications/Options:</i> S-OPT (12/16/2015)]	\$500,250 [Option #1: 1/10/2016 – 1/9/2017: DBM Item 3-
<b>Revised Total Contract Amount:</b>	\$2,501,250
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
MBE Participation:	25%
MBE Compliance:	25%

**Requesting Agency Remarks:** Request for approval to exercise the second and final one-year renewal option as contained in the original contract to perform required tax credit compliance monitoring, involving periodic physical inspections and on-site file reviews of properties owned by participants in the federal Low Income Housing Tax Credit Program in Maryland.



# **11-S-OPT. DEPT OF HOUSING AND COMMUNITY DEVELOPMENT** (cont'd)

DHCD currently administers a portfolio of 358 Low Income Housing Tax Credit properties with 33,360 units. Spectrum is responsible for conducting an annual desk audit on all 358 properties and all 33,360 units to ensure compliance with Internal Revenue Code requirements. This audit confirms that units meet health and safety standards; rents charged to the tenants do not exceed the program's maximum rent ceilings (which varies by jurisdiction, household size and income); incomes of assisted tenants are within the program's income limits at lease-up and thereafter annually (which varies by jurisdiction and household size); tenant incomes are verified accurately and correctly; the property maintains the number of units committed as tax credit units; and that all such units are made available to the general public. In calendar year 2016, as of October 24, 2016, desk audits were conducted on all 33,360 units for 358 properties.

Spectrum is also responsible for meeting the IRS requirement that all properties be inspected not less than three years after the property's last inspection and that all new properties are inspected within two years of their place in service date. The inspection encompasses an on-site review of all buildings within the project, as well as an inspection of 20% of the total units within the project to ensure compliance with Uniform Physical Conditions. Corresponding tenant file reviews are conducted to ensure compliance with IRS Code requirements. In CY 2016, as of October 24, 2016, Spectrum inspected 126 properties and 2,372 units.

Spectrum has performed file reviews and physical inspections since for DHCD since 1991 and is the authorized agent for Maryland and four other states and the Territory of the US Virgin Islands. Its principal is a nationally recognized expert in the low-income housing industry and has conducted training sessions throughout the country over the past 20 years. DHCD is satisfied with Spectrum's performance under this contract, and therefore requests approval to exercise the second and final, one-year renewal option. DHCD plans to complete a new procurement for these services during the first quarter of CY2017.

Fund Source:	100% Special (General Bond Reserve Fund)
Appropriation Code:	S00A2505
Resident Business:	No





DBM 27B

Contact: Debbie Pecora 410-339-5836 Debbie.pecora@maryland.gov

#### 12-S-OPT. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> Services Contract Renewal Option

*Contract ID:* Commissary Services and Inmate Banking; DPSCS: Q0012009; ADPICS # Q00B7400060

Contract Approved:	DBM Item 8-S (12/19/2012)
Contractor:	Keefe Commissary Network, LLC (KCN) Edison, NJ

*Contract Description*: Revenue generating contract to provide Commissary Services and develop an Inmate Banking System for the Department of Public Safety and Correctional Services (DPSCS).

*Option/Modification Description:* Exercise the second one-year renewal option and modify the contract to remove the welfare and admission kits.

Original Contract Term:	1/1/2013 – 12/31/2015 (w/2 one-year renewal options)
<b>Option/Modification Term:</b>	1/1/2017 - 12/31/2017
Original Contract Amount:	Estimated Total Cost of Goods Sold to Inmates: \$45,000,000 (3 Years)
	<u>Revenue to the State (Per Diem - Kits)</u> : \$9,465,087 (3 Years)
<b>Option/Modification Amount:</b>	Estimated Total Cost of Goods Sold to Inmates: \$15,000,000 (Renewal Option #2) (\$ 54,256) (Modification) \$14,945,744 Total (1 Year)
	<u>Revenue to the State (Per Diem - Kits)</u> : \$3,155,029 (Renewal Option #2)



#### **12-S-OPT. DEPT OF PUBLIC SAFETY & CORRECTIONAL SERVICES** (cont'd)

**Prior Modifications/Options:** \$15,000,000 Estimated Total Cost of Goods Sold to Inmates; \$3,155,029 Revenue to the State (Per Diem - Kits) [\$0: Mod #1: Amended delivery time: 10/18/2013; \$0 Mod #2: Amended contract to include storage of undelivered kits and to allow for consumer index language: 10/29/2014; \$0: Mod #3: Contractor amended MBE participation: 4/6/2015; \$15,000,000 Estimated Total Cost of Goods Sold to Inmates; \$3,155,029 Revenue to the State (Per Diem - Kits): Opt #1: 1/1/2016 - 12/31/2016: DBM Item 5-S-OPT (12/2/2015)]

<b>Revised Total Contract Amount:</b>	<i>Estimated Total Cost of Goods Sold to Inmates:</i> \$74,945,744 Total (5 Years) <i>Revenue to the State (Per Diem Basis):</i> \$15,775,145 Total (5 Years)
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
MBE Participation:	20%
MBE Compliance:	23%

**Requesting Agency Remarks:** Request for approval to exercise the second and final one-year renewal option as contained in the original contract to provide commissary services and inmate banking and modify the contract to remove the welfare and admission kits.

This contract provides delivery of commissary products directly to the inmate, develops an interface to the Department's existing banking system, and develops a new Inmate Banking system at no cost to the State. The inmate welfare and admission kits were sold to the department at cost and are not included in the revenue aspect of this contract. The Department is modifying the contract to remove these kits based upon a legislative audit finding that these services were previously provided by Blind Industries and Services of Maryland, a Preferred Provider. The new Preferred Provider contract with Blind Industries and Services of Maryland will be within the Department's delegated authority to award, and begin effective January 1, 2017.

Keefe Commissary Network, LLC (KCN) currently provides commissary services to 66 facilities with inmate populations of 1,000 - 2,999, eight facilities with inmate populations of 3,000 - 5,000 and five facilities with inmate populations of 5,000+. KCN has 19 years of experience in the automated commissary business and provides services in 43 states, of which KCN services ten statewide Department of Corrections. KCN currently has an Inmate Accounting System developed and in production in 20+ institutions in a number of states. KCN has leased a 40,000 square foot warehouse in Howard County, Maryland dedicated to the Maryland Department of Public Safety and Correctional Services.



#### 12-S-OPT. **DEPT OF PUBLIC SAFETY & CORRECTIONAL SERVICES** (cont'd)

Under this contract, the contractor has acquired a warehouse within the State of Maryland, created 98 new positions, and used Maryland certified minority vendor; which has recycled revenue into Maryland's economy. KCN provided outstanding services in compliance with all aspects of this contract.

The revenue is generated by a per diem as described per Section 3.15.1 of contract which reads as follows:

3.15.1 For each calendar month of the term of the contract, the contractor shall make a payment to the Department, based upon the Per Diem Rate specified in the Proposal Price Sheet for that particular year, Attachment F to the RFP, and upon the ADP. Each payment to the Department shall be calculated using the following formula: ADP x Days x Per Diem = monthly payment to the Department.

In this formula:

- "ADP" has the meaning in Section 1.2 of the RFP. (Average Daily Population)
- "Days" means the number of days in the calendar month.
- "Per Diem" means the applicable Per Diem Rate proposed by the contractor on Attachment F of the RFP.

Since this is the last renewal option for this contract, the Department will re-solicit for these services during the renewal period. New competitive procurements will be conducted separating the commissary and inmate banking services based upon the legislative audit findings on this contract.

Fund Source:	100% Special (Revenue Generating)
Appropriation Code:	Various
Resident Business:	No




DBM 30B

Contact: Georgia A. Peake 410-767-3763 gpeake1@mta.maryland.gov

## 13-S-MOD. MARYLAND DEPARTMENT OF TRANSPORTATION

Maryland Transit Administration/Office of Treasury Services Contract Modification

*Contract ID*: MARC and Commuter Bus Ticketing Services and Ticket Vending Machines; MTA-1370; ADPICS # COG96254

Contract Approved:	DBM Item 2-S (1/23/2013)
Contractor:	The Convention Store, Inc. Baltimore, MD

*Contract Description*: Provide ticketing services for two Maryland Transit Administration (MTA) commuter transit modes, the Maryland Area Rail Commuter (MARC) train and MTA Commuter Bus systems. The services provided under this contract include: web based on-line sales; ticket-by-mail and store front sales.

*Modification Description*: Add funding to account for an increase in ticket fares and sales and additional weekend services; and, extend the contract term by five months to align two contracts being procured simultaneously under one procurement.

Original Contract Term:	1/23/2013 - 1/22/2018
Modification Term:	12/22/2016 - 6/30/2018
Original Contract Amount:	\$18,311,916 (5 Years)
Modification Amount:	\$6,525,618 (2 Years; 5 Months, 10 Days)
Prior Options/Mods:	None
<b>Revised Contract Amount:</b>	\$24,837,534
Overall Percent +/- (This Mod):	36%
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
<b>MBE</b> Participation:	11.51%
MBE Compliance:	17%



#### **13-S-MOD.** <u>MARYLAND DEPARTMENT OF TRANSPORTATION</u> (cont'd)

**Requesting Agency Remarks:** Request for approval to extend the contract term for the Ticket Vending Machines/Amtrak Quik-Trak Machines by approximately five months in order to complete the new procurement for services and add funding in response to fare and sales increases and additional weekend service.

MARC and Commuter Bus Ticketing Services is a net revenue contract under which the contractor, The Convention Store, Inc., administers sales via the web, mail, and in two store fronts. This contract reduces the cost of current MARC and Commuter Bus ticketing services by consolidating the mail- and internet-based sales of MARC and Commuter Bus fare media. The Convention Store, Inc. receives a commission per ticket and deposits the remaining balance monthly to an MTA revenue account. Due to the addition of weekend services and an increase in ticket fares and sales, it is necessary to add funds and increase the duration of this contract. This increase in funds and duration will coincide with the end of the Amtrak contract. This will allow the MTA to solicit a new vendor for all services. Specification development is underway for the new procurement through a Request For Proposals that includes the services for both Marc and MTA Commuter Bus Systems, including MARC Ticket vending machines to replace existing Amtrak ticketing.

It is in the best interest of the State to extend the contract term to ensure the simultaneous ending of both the contacts with The Convention Store, Inc. and Amtrak. This will allow for a smooth transition for the new contract. The commission per ticket will remain the same between Contract Year 5 and the five-month extension period.

Fund Source:	100% Special (Rail Operations)
Appropriation Code:	J05H0104
Resident Business:	Yes





DBM 32B

Contact: Al Bullock 410-697-9403 Al.Bullock@Maryland.gov

#### 14-S-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> Office of Strategic Planning Services Contract Modification

*Contract ID:* Gartner IT Research & Advisory Services; ADPICS # 60B6400012

Contract Approved:	Approved by DBM (December 2015 PAAR)
Contractor:	Gartner, Inc. Samford, CT

*Contract Description*: Provides research & advisory services to assist with mission critical initiatives such as cost optimization, application rationalization, infrastructure consolidation, cyber security and IT procurement reform.

*Modification Description*: Extend the contract term by two years in order to continue to provide services to improve the IT operating model.

Original Contract Term:	1/1/2016 - 12/31/2016
Modification Term:	1/1/2017 - 12/31/2018
Original Contract Amount:	\$188,900 NTE (1 Year)
Modification Amount:	\$463,400 NTE (2 Years)
Prior Modifications/Options:	None
Revised Total Contract Amount:	\$652,300
Overall Percent +/- (This Mod):	245%
<b>Original Procurement Method:</b>	Intergovernmental Cooperative Purchasing Agreement
MBE Participation:	None

**Requesting Agency Remarks:** Request for approval to extend the contract term by two years to continue to provide assistance with mission critical initiatives such as cost optimization, application rationalization, infrastructure consolidation, cyber security and IT procurement reform.



#### 14-S-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

In December 2015, DoIT with the approval of DBM, entered into an intergovernmental contract for Gartner advisory services. In 2013, the State of Iowa issued a solicitation, RFP 1113005308 for IT Research Services. The State of Iowa, IT Research Services Contract #4445-13 provides the State of Maryland with favorable contract terms and a pre-determined multi-year pricing structure to procure the requested services. Initially, DoIT entered into a one-year contract as a pilot to determine if the Gartner advisory services provided would meet the State's needs.

DoIT has a need to standardize security across the enterprise, rationalize applications across the State, optimize costs, consolidate infrastructure and move to a shared services model. Through this modification, DoIT has used and intends to continue utilizing Gartner to assist with identifying ways to improve the IT operating model. DoIT executives will leverage Gartner insight to support the following:

- Evaluate current budget model to make potential changes that support cost optimizations;
- Provide guidance, insight, best practices and evaluation criteria around managed services options which support compliance to federal guidelines;
- Build roadmap of how to standardize security framework, consolidate security systems and software and reduce risk of a successful cyberattack;
- Validate decisions on controlling costs and extending staff, by aligning best-in-class resources to supplement staff shortages; and,
- Develop IT financial and investment management metrics and frameworks.

The modification will allow DoIT and Gartner to continue working collectively on mission critical initiatives to better serve the citizens of Maryland. The pricing provided by Gartner for the licensing is fair and reasonable based upon a comparison of similar services provided by Gartner to other states.

If there is a continued need for services at the modification end date, DoIT will pursue a new intergovernmental agreement or complete a competitive procurement for these services.

Fund Source:	100% General
Appropriation Code:	F50B0401
Resident Business:	No

## BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED WITHDRAWS
WITH DI	SCUSSION	WITHOUT DISCUSSION



DBM 34B

Contact: Sandy Johnson 410767-7408 sandy.johnson@maryland.gov

#### 15-S-MOD. <u>DEPARTMENT OF HUMAN RESOURCES</u>

Social Services Administration/Foster Care Maintenance Payments Program Services Contract Modification

*Contract ID:* Residential Child Care Services; SSA/RCC-14-025-A6; SSA/RCC-14-038-A7; ADPICS #COH01176

Contract Approved:

DBM Item 8-S (6/12/2013)

Contractor:

Linwood Center, Inc. Ellicott City, MD

Shorehaven, Inc. Elkton, MD

*Contract Description*: Approval request to provide Residential Child Care (RCC) services for a total of 760 clients at various locations throughout Maryland through 44 separate RCC contracts.

*Modification Description*: Modify two RCC contracts by: (1) increasing the funding to Linwood Center, Inc. due to a rate increase for a higher level of care needed for one youth currently placed with the provider; and (2) increasing the number of beds from one to four at one Shorehaven, Inc. location for a total contract of 27 beds.

Original Contract Term:	7/1/2013 – 6/30/2016 (w/2 one-year renewal options)
Modification Term:	12/22/2016 - 6/30/2017 (Linwood Center, Inc.) 1/1/2017 - 6/30/2017 (Shorehaven, Inc.)
Original Contract Amount:	<ul> <li>\$ 891,998 NTE (Linwood Center, Inc.)</li> <li><u>\$8,023,584</u> NTE (Shorehaven, Inc.)</li> <li>\$8,915,582 NTE Total (3 Years)</li> </ul>
Modification Amount:	\$128,230 NTE (6 Months, 10 Days - Linwood) <u>\$256,464</u> NTE (6 Months - Shorehaven) \$384,694 NTE Total
Prior Modifications/Options:	\$1,058,771 NTE (Linwood Center, Inc.) <u>\$2,627,256</u> NTE (Shorehaven, Inc.) \$3,686,027 NTE Total (See page 39B)



#### **15-S-MOD. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)**

<b>Revised Total Contract Amount:</b>	\$ 2,078,999 (Linwood Center, Inc.) <u>\$10,907,304</u> (Shorehaven, Inc.) \$12,986,303 Total
Percent +/- (This Mod):	+14.4% (Linwood Center, Inc.) + 3.2% (Shorehaven, Inc.)
Overall Percent +/-:	+84.4% (Linwood Center, Inc.) + 3.2% (Shorehaven, Inc.)
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
MBE Participation:	None

**Requesting Agency Remarks:** Request for approval to modify two RCC contracts by: (1) increasing the funding to Linwood Center, Inc. due to a rate increase for a higher level of care needed for one youth currently placed with the provider; and (2) increasing the number of beds from one to four at one Shorehaven, Inc. location for a total contract of 27 beds.

Due to an increase in the level of care needed for one Maryland youth placed with the provider, the youth was transferred to a more intensive program at Linwood Center that is significantly more expensive than the previous program. The Linwood Center specializes in providing services to individuals living with autism.

Due to the termination of one of the Department's out-of-state providers, AdvoServ Programs, Inc., additional beds are needed at another location. The children placed with AdvoServ Programs, Inc. had to be moved, and Shorehaven, Inc. happens to be one of the providers with three available beds in its program under contract. The number of beds will increase from one bed to four beds; the total number of beds under this contract will be 27 beds.

The Interagency Rates Committee (IRC) is the sole rate setting committee for the Residential Child Care Services within the Maryland State Department of Education; COMAR 14.31.04 establishes State reimbursement rates for services to children in residential child care programs. The Division of Special Education/Early Intervention Services (DSE/EIS), Nonpublic Special Education Section provides oversight for this work. COMAR 14.31.04 sets forth the guidelines for placement of Maryland youth. Rates are set for facilities that provide private residential and nonpublic education services to youth aligned with the specific needs of the placed youth.





#### **15-S-MOD. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)**

Maryland rates are set to ensure equal rates are paid for equal services regardless of the placing agency, placing State, or location of the facility. All rates issued by Maryland must comply with all cost approval guidelines and instructions. MSDE publishes the Cost Approval Process for Residential Child Care Providers and Individual Placements annually.

The providers' rates are approved by the Interagency Rates Committee (IRC). These are not-toexceed per diem contracts where the providers are paid solely for the actual number of children placed in their care during the year, and then only for the actual days the children are with the providers. As such, DHR will not be charged for any unused capacity.

Residential Child Care programs are defined in COMAR 14.31.02.03B(13) as "a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law." COMAR 14.31.06.01 articulates the standards that must be met and maintained by residential child care programs for children and youth. These requirements are designed to protect the health, safety, and well-being of children placed in residential child care programs.

The Governor's Office for Children is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State jurisdictions.

Fund Source:	66% General; 34% Federal (Title IV-E)
Appropriation Code:	N00G0001
Resident Business:	Yes





#### **15-S-MOD. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)**

### **Prior Modifications/Options (cont'd):**

#### Linwood Center:

Mod #1	\$624,288	Add an additional bed and an Affiliated Facility to the Contract: 10/15/2013 - 6/30/2016: DBM Item 14 S-MOD (2/19/2014).
Mod #2	\$0	Removed a bed from one location and added it to a new location: 2/9/2015 - 6/30/2016: Approved by DHR.
Mod #3	\$0	Removed a facility and added the bed to another facility on the contract: 8/1/2015 - 6/30/2016: Approved by DHR.
Mod #4	\$0	Added Certification of Residential Child Care Practitioners requirements to the contract and removed references to the State Child Youth Family Information System: 12/28/2015 - 6/30/2016: Approved by DHR.
Opt #1	\$434,483	Exercised the first of two 1-year renewal options: 7/1/2016 - 6/30/2017: DBM Item 12-S-OPT (6/8/2016).
Total	\$1,058,771	



#### **15-S-MOD. <u>DEPARTMENT OF HUMAN RESOURCES</u> (cont'd)**

### **Prior Modifications/Options** (cont'd):

Shorehaven:

Mod #1	\$0	Modified one contract to add a financial disclosure clause: 9/3/2014 - 6/30/2016: Approved by DHR,
Mod #2	\$0	Modified one contract to add requirements for the Certification of Residential Child and Youth Care Practitioners: $12/15/15 - 6/30/16$ : Approved by DHR
Mod #3	\$0	Modified one contract to reduce the number of beds in one location and increase the number of beds in another location: $2/22/16 - 6/30/16$ : Approved by DHR.
Mod #4	\$0	Modified one contract to reduced the number of beds in one location and transfer one bed to a newly licensed location: $6/22/16 - 6/30/16$ : Approved by DHR.
Opt #1	\$2,627,256	Modified one contract to exercise the first of two 1-year renewal options: $7/1/16 - 6/30/17$ : DBM Item 12-S-OPT (6/8/2016).
Mod #6	\$0	Modified one contract to increase the number of beds in one location and reduce the number beds in another location: $10/15/16 - 6/30/17$ : Approved by DHR.
Total	\$2,627,256	



Contact: Jonathan Martin 410-260-7280 jonathan.martin1@maryland.gov

#### **16-GM. DEPARTMENT OF BUDGET AND MANAGEMENT** Office of Budget Analysis (OBA)

General Miscellaneous

#### Request Amount:

<mark>\$628,976</mark> FY2017 Total (see page <mark>40</mark>B)

**Description:** Request to approve a proposed reimbursable fund budget amendment for the month of November FY2017. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that the proposed reimbursable fund budget amendment be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

*Fund Source*: 100% Reimbursement

*Appropriation Code*: See page 40B

**Requesting Agency Remarks:** The contributing Departments have appropriated funds to pay for services to be provided by the receiving Departments for November FY2017. The following page shows the reimbursable fund amendment and identifies the Departments receiving and contributing funding, the amount of the funding and a brief justification for the amendment.



#### Supplement B Department of Budget and Management ACTION AGENDA December 7, 2016



## **REVISED**

#### **16-GM. DEPARTMENT OF BUDGET AND MANAGEMENT** (cont'd)

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
17R-019	D16A06.01 - Secretary of State	D15A05.16 - The Governor's Office of Crime Control and Prevention	\$22,632	Funding is for the purpose of providing support for the operation of the Safe at Home grant. The Secretary of State and the Governor's Office of Crime Control and Prevention have entered into a MOU to support this operation.
<mark>17R-020</mark>	C00A00.06 - Administrative Office of the Courts	D15A05.16 - The Governor's Office of Crime Control and Prevention & V00G01.01 - Department of Juvenile Services	<mark>\$247,790</mark>	Funding for Protective Order Advocacy and Representation & Baltimore City Teen Court.
<mark>17R-021</mark>	D50H01.06 - Maryland Emergency Management Agency (MEMA)	Q00A02.01 - Department of Public Safety and Correctional Services (DPSCS)	<mark>\$151,462</mark>	Funding is for the purpose of providing support for DPSCS to lease space for the Central Commitment Unit at Painters Mill Executive Offices. MEMA no longer needs the space and DPSCS needs lease space.
<mark>17R-022</mark>	D16A06.01 - Secretary of State (SOS)	D15A05.16 - The Governor's Office of Crime Control and Prevention	<mark>\$207,092</mark>	Funding is for the purpose of providing support for the operation of the Safe at Home Program.
FY 2017	<b>November Proposed Rein</b>	nbursable Amendment Total	<mark>\$628,976</mark>	



Supplemental

Contact: Sharon Mattia 240-577-7002 smattia@charhall.org

#### 17-S. <u>MARYLAND DEPARTMENT OF VETERANS AFFAIRS</u> Charlotte Hall Veterans Home Services Contract

*Contract ID:* Management Services for the Charlotte Hall Veterans Home; MDVA-CHVH-15-01; ADPICS # D55B7400004

*Contract Description:* Provide a broad range of quality long-term health care and assisted living services to the residents of the Charlotte Hall Veterans Home.

Award:	HMR of Maryland, LLC (HMR) Anderson, SC (Local Office in Charlotte Hall, MD)
Term:	1/1/2017 – 12/31/2020 (w/2 two-year renewal options)
Amount:	<ul> <li>\$170,864,900 (4 Years, Base)</li> <li>\$ 85,432,450 (2 Years, Renewal Option #1)</li> <li><u>\$ 85,432,450</u> (2 Years, Renewal Option #2)</li> <li>\$341,729,800 Total (8 Years)</li> </ul>
Procurement Method:	Competitive Sealed Proposals

#### **Proposals:**

Offeror	Technical Ranking	Financial Offer/Ranking	Overall Ranking
HMR of Maryland, LLC Anderson, SC (Local Office in Charlotte Hall, MD)	3	\$341,729,800 (1)	1
Charlotte Hall Nursing, LLC Timonium, MD	2	\$347,831,800 (2)	2
Maryland Health Innovations, LLC Ellicott City, MD	1	\$381,876,072 (3)	3

Note: Technical factors had greater weight than financial factors in the overall award determination.

MBE Participation:	3.59% (See Requesting Agency Remarks)
Performance Security:	Performance Bond - \$4,000,000
Incumbent:	Same





#### **17-S. MARYLAND DEPARTMENT OF VETERANS AFFAIRS** (cont'd)

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 15 prospective vendors, six of which are Maryland firms, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Four proposals were received in response to the RFP; however, one proposal was determined to be not reasonably susceptible for award and removed from further consideration. HMR of Maryland, LLC (HMR) was ranked overall #1 with the lowest financial offer and lowest ranked technical offer. The #1 ranked technical offer was highest in price (over \$40M or 12%). In an effort to achieve the most advantageous price for the State, three separate BAFOs were issued to encourage the offerors to submit a lower price. Even though technical factors were given greater weight than financial factors in the overall award determination, the technical differences between the three offerors were not substantial enough to recommend award to either of the higher priced offerors that were ranked #1 and #2 technically. Therefore; award is recommended to HMR as having the most advantageous offer for the State.

The financial proposals were based upon a model contained in the RFP to allow for proper comparisons among offerors that included fixed prices.

DVA's Charlotte Hall Veterans Home (Home) was established for the purpose of operating and managing a home for veterans of the State of Maryland. The Home is located at Charlotte Hall, St. Mary's County, Maryland and is now licensed for 168 assisted living beds and 286 comprehensive care (nursing home) beds for a total of 454 beds. The Home is open to honorably discharged Maryland veterans, and their non-veteran spouses, who have served in the armed forces of the United States, and are of retirement age or are unable to work due to a disability recognized by the Veterans Administration or the Social Security Administration.

This contract will provide for the operation and management of the Home. Services will be provided in seven functional areas: (1) administration/management/human resources; (2) nursing/resident care; (3) dietary services, housekeeping, and laundry; (4) facility maintenance, plant operations, safety and security; (5) social and behavioral health services; (6) transportation, fleet services, appointments & scheduling; and (7) ancillary and additional contracted services. This contract also provides enhanced services and additional staffing to ensure the well-being of our Maryland veterans.

On September 13, 2016, Charlotte Hall Nursing, LLC filed a protest against the award to HMR, the incumbent. A second protest was filed by Charlotte Hall Nursing, LLC on September 14, 2016. Maryland Department of Veterans Affairs denied both protests on October 25, 2016. On November 2, 2016, Charlotte Hall Nursing, LLC filed an appeal with the Maryland State Board of Contract Appeals. A supplemental protest was received on November 23, 2016. It is anticipated that [T]his protest will be withdrawn or was denied prior to the BPW meeting on December 2, 2016.



## Supplemental

#### **17-S.** <u>MARYLAND DEPARTMENT OF VETERANS AFFAIRS (cont'd)</u>

The Department is requesting that the Board of Public Works (BPW) approve the contract award notwithstanding appeal in order to protect substantial State interests. The substantial State interests involved are:

- Ensuring that the vulnerable population of aged and disabled veterans (and non-veteran spouses) needing nursing home or assisted living care services are received to maintain their health, well-being and sense of security;
- Staffing will increase to include three key nursing positions to support management and admissions: an Assisted Living Delegating Nursing, a second Assistant Director of Nursing and an Admissions Liaison Nurse;
- A new financial model that provides a bed lease component to ensure a predictable budget for Charlotte Hall Veterans Home and eliminates the financial impact of denied government payments (Federal VA per diem, Medicare, Medicare); and,
- An annual savings of over \$500K compared to the current contract that amounts to over \$4M over the life of the new potentially eight-year contract.

By approving this item, per COMAR 21.10.02.11.A, the Board of Public Works will be deemed to specifically find that execution of the contract without delay is necessary to protect substantial State interests and it will specifically be doing so notwithstanding the fact that Charlotte Hall Nursing, LLC has appealed the denial of its protest about not being awarded the new contract.

A 2% MBE participation goal was established for this contract; however, HMR has committed to 3.59%. A 4% VSBE participation goal was established for this contract; however, HMR has committed to 4.04%.

*Fund Source:* 39% Non-Budgeted (Medicaid, Medicare); 34% Federal; 18% Non-Budgeted (Resident Payments); 9% General

Appropriation Code:	D55P00
Resident Business:	Yes
MD Tax Clearance:	16-3182-1111

This Item was withdrawn as Item 1-S from the 11/16/2016 Agenda.

<b>BOARD OF PUI</b>	BLIC WORKS ACTION -	THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DI	ISCUSSION	WITHO	UT DISCUSSION 83



#### 1-C. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> Construction Contract

#### Contract ID: On Call Construction Management at Risk Services, RFP# 84966-B

*Contract Description:* Provide Construction Management at Risk Services during preconstruction and construction phases for construction projects on an on-call basis for the University of Maryland, College Park Service Center.

Coakley & Williams Construction, Inc.	<b>DPR</b> Construction
Bethesda, MD	Columbia, MD
Quandel Schafer	Plano-Coudon, LLC
Abingdon, MD	Baltimore, MD
The Whiting Turner Contracting Company	Kinsley Construction
Baltimore, MD	York, PA

*Contract Term:* 12/8/16-12/7/18 (2-year base term w/ three 1-year renewal options)

Amount: \$200,000,000 (not to exceed amount for 2-year base term) based on: \$100,000,000 annual estimate No single project anticipated to exceed \$15,000,000

#### Proposals:

Firm	Technical Score	Proposal Price
Plano-Coudon, LLC	86.5	\$336,706
Quandel Schafer	87.0	\$342,085
DPR Construction	83.8	\$379,777
Kinsley Construction	86.1	\$382,732
Coakley & Williams Construction, Inc.	85.3	\$393,500
The Whiting Turner Contracting Company	87.1	\$396,500

*MBE Participation:* MBE goals assigned on task orders exceeding \$100,000

*Performance Security:* 100% performance bond required for projects exceeding \$100,000.



#### **1-C.** <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> (cont'd) Construction Contract

**Requesting Institution Remarks:** The solicitation was advertised in *eMaryland Marketplace*. Twelve proposals were received and evaluated by a University Technical Evaluation committee. Six firms achieved the minimum technical score and were requested to submit price proposals. Evaluation of the price proposals was based on the CM costs which include pre-construction services and construction services for the Eppley Natatorium Pool mechanical, electrical, and plumbing systems project. (See USM Item 2-C on today's Agenda.)

As construction management projects arise, the University will compete each project among the six on-call construction management firms. The Procurement Review Group will establish MBE goals for all projects exceeding \$100,000. Task orders exceeding \$1 million will be presented to the Board of Public Works for approval.

*Fund Source:* Fund sources will vary with each project but include Facilities Renewal Funds, Institutional Funds and Auxiliary Services Funds.

Firm	<b>Resident Business</b>	MD Tax Clearance
Coakley & Williams Construction, Inc.	Yes	16-3434-1111
DPR Construction	Yes	16-3435-0111
Quandel Schafer	Yes	16-3436-1110
Plano-Coudon, LLC	Yes	16-3438-1111
The Whiting Turner Contracting Company	Yes	16-3439-1111
Kinsley Construction	No	16-3437-1111

#### Resident Business/MD Tax Clearance:

The Board of Public Works deferred this Item as Item 2-C from the Nov. 16, 2016 Agenda.

BOARD OF PUBLIC WORKS	THIS ITEM WAS:		
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN	
WITH DISCUSSION	WITHOU	T DISCUSSION	0.5



#### 2-C. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> Construction Contract Task Order Based on On-Call Contract

Contract ID:Eppley Natatorium Pool MEP Systems Replacement<br/>Construction Management at Risk Services RFP# 84966-B

**Recommendation:** The University recommends award of a Construction Management at Risk Services contract to Plano-Coudon, LLC. Approval is requested for award of pre-construction services and mechanical equipment that requires long lead in ordering. The University will return to the Board with a request to award bid packages and the remaining fee.

*Project:* Replace air handling units that support Eppely Natatorium.

The University anticipates the final value of this contract will be approximately \$3.3 million.

The overall project estimate is \$4 million.

*Contract Description:* Provide professional management and construction services during preconstruction and construction for all phases of the project.

Contract Term:	6 months from issuance of pre-construction notice to proceed
Amount:	\$821,200 (pre-construction services; long lead mechanical equipment)

Procurement Method:

Competitive Sealed Proposals

Firm	<b>Proposal Price</b>
Plano-Coudon, LLC	\$336,706
Quandel Schafer	\$342,085
DPR Construction	\$379,777
Kinsley Construction	\$382,732
Coakley & Williams Construction, Inc.	\$393,500
The Whiting Turner Contracting Company	\$396,500

Fund Source:

Institutional Funds



#### 2-C. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> (cont'd) Construction Contract Task Order Based on On-Call Contract

**MBE Participation:** 15%

*Performance Bond:* Equal to contract amount

**Requesting Institution Remarks:** This solicitation was advertised in *eMaryland Marketplace* as the price evaluation factor for On Call Construction Management at Risk Services contract. The On Call contract for all six vendors is recommended as USM Item 1-C on today's Agenda. This is the first task under the master contract. The six firms proposed as master contractors under Item 1-C submitted sealed proposals for this project specifically.

As design progresses and design information becomes available, the contractor will bid construction packages.

Resident Business:YesMD Tax Clearance:16-3438-1111

The Board of Public Works deferred this Item as Item 3-C from the Nov. 16, 2016 Agenda.

BOARD OF PUBLIC WORKS	THIS ITEM WAS:		
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN	
WITH DISCUSSION	WITHOU	T DISCUSSION	



#### 3-GM. <u>GENERAL MISCELLANEOUS</u> Capital Equipment

*Recommendation:* That the Board of Public Works approve the use of general obligation bond proceeds for the following contracts totaling \$59,529.

Authority: State Finance and Procurement Article, Annotated Code of Maryland, § 8-301

### University of Maryland, College Park

Physical Sciences Complex

1.	Description:	sCMOS Camera (Zyla Plus 4.2) imaging workstation Model No. IQ-WSTN-XD-NMS		
	<b>Procurement Method:</b>	Request for Quote		
	Award:	Andor Technology		
	Awuru.	425 Sullivan Avenue, Suite #3		
		South Windsor, CT 06074		
	Amount:	\$26,797		
	Fund Source:			
	r una source:	MCCBL of 2013: Provide funds to equip Phase I of a new Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, Astronomy, and the Institute for Physical Sciences and Technology.		
		Item #:057.		
	<b>Resident Business:</b>	No		
	MD Tax Clearance:	16-3717-0110		
2.	Description:	Furnish and deliver microprocessor controlled, high speed		
	Ĩ	filter wheel system		
	<b>Procurement Method:</b>	Single Source		
	Award:	Sutter Instrument Co.		
		Notato, CA 94949		
	Amount:	\$5,735		
	Fund Source:	MCCBL of 2013: Provide funds to equip Phase I of a new		
		Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology. Item #:057.		
	Resident Business:	No		
	MD Tax Clearance:	16-3783-0000		



#### **3-GM. <u>GENERAL MISCELLANEOUS</u>** (cont'd) Capital Equipment

# **Frostburg State University**

Public Safety Facility

Description:	Livescan fingerprint and mug shot system
Procurement Method:	Sole Source
Award:	3M Cogent Inc.
	693 North Rosemead Boulevard
	Pasadena CA 91107
Amount:	\$26,997
Fund Source:	MCCBL of 2015: Provide funds to continue design of and to
	construct and equip a facility to serve the Frostburg State
	University Police Department. Item: 147.
Resident Business:	No
MD Tax Clearance:	16-3858-1111





#### 4-C. <u>TOWSON UNIVERSITY</u> Glen Pedestrian Bridge Replacement Task Order Based on On-Call Contract

Contract ID:	On-Call General Contractor On-Call GC Contract #87686 AA
Contract Approved:	USM Item 2-C (08/13/14)
Contractor:	Emjay Engineering and Construction Co., Inc., Baltimore

*Description:* Demolish and replace Glen Towers Pedestrian Bridge. Includes removing steel piers and concrete foundations.

<b>Procurement Method:</b>	On-Call General Contractor Task Order Bids
Contract Amount:	\$1,512,848

Task Order Bids:

	Bidder	Price
	Emjay Engineering, Baltimore	\$1,512,848
	Brawner Builders, Hunt Valley	\$2,265,492
Fund Source:	Plant Funds	
Contract Term:	6 months from notice to pro	oceed (12/2016 - 6/
MBE Participation:	30%	
-	Sub Goals: 17% African-American	
	4% Asian-Am	nerican



#### 4-C. <u>TOWSON UNIVERSITY</u> (cont'd) Glen Pedestrian Bridge Replacement Task Order Based on On-Call Contract

*Performance Security:* 100% performance bond

*Requesting Institution Remarks:* The solicitation was issued as a task-order solicitation to the On-Call General Contractors. Two bids were received. Award is recommended to the low bidder.

Resident Business: Yes

*MD Tax Clearance:* 16-3873-1111





#### 5-C-OPT. <u>UNIVERSITY OF MARYLAND, BALTIMORE COUNTY</u> Construction Contract Renewal Option

Contract ID:	On-Call Construction Manager at Risk Contract RFP BC-20841-C
Contract Approved:	USM Item 4-C (12/05/12) USM Item 5-C-OPT (12/02/15)
Contractors:	Barton Malow Company, Baltimore
	J. Vinton Schafer & Sons, Inc., Abington
	Whiting-Turner Contracting Company, Baltimore

*Contract Description:* Construction Management at Risk services during preconstruction and construction phases for facilities renewal/renovation projects on on-call basis

<b>Option Description:</b>	Exercise second of four 1-year renewal options	
Original Contract Term:	12/10/12 - 12/09/15	
Renewal Term:	12/10/16 - 12/09/17	
Original Amount:	\$21 million (not to exceed amount for 3-year base term)	
<b>Option Amount:</b>	\$7 million (not to exceed amount for 1-year option term)	
Original Procurement Method: Competitive Sealed Proposals		
MBE Participation:	25%	
MBE Compliance:	All task orders in compliance	
Performance Security:	Task orders in excess of \$100,000 require separate payment and performance bonds equal to 100% of task order amount.	



#### **5-C-OPT. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY** (cont'd) **Construction Contract Renewal Option**

**Requesting Institution Remarks:** This is the second of four 1-year renewal options. Renewal is based on satisfactory contractor performance. Services are performed on an as-needed task order basis. This contract is used for facilities renewal/renovation projects (i.e. interior renovations such as office space, residential facilities and laboratories, exterior building renovations, etc.) at UMBC.

Any task order exceeding \$1 million will be brought to the Board of Public Works for approval.

Fund Source:

Fund sources vary depending on project or task order

Contractor	<b>Resident Business</b>	MD Tax Clearance
J. Vinton Schaefer	Yes	16-3661-1111
Barton Malow	Yes	16-3660-1111
Whiting-Turner	Yes	16-3662-1111





#### 6-RP. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> Subdivision by Deed

**Description:** That the Board of Public Works approve the University of Maryland, College Park subdividing an approximately 10-acre property into an approximately 4.5-acre property and an approximately 5.5-acre property. This subdivision will create a separate legal lot to match the boundary lines of a leasehold interest already under ground lease to SJP UMD Lot 2R, LLC, a joint venture between the University and St. John Properties, Inc.

*Property:* All of 5751 Rivertech Ct and parts of 5851 Rivertech Ct and 4751 River Rd Riverdale Park, 20737

*Prior Approval:* Reference is made to USM Item 5-RP (7/27/16) in which the Board approved the University entering into a joint venture with St. John Properties, Inc. to develop approximately 15 acres on two parcels adjacent to the University's research park. The joint venture with SJP, a St. John's Properties affiliate, was based on long-term ground leases of one 10.37-acre parcel and a second 4.55-acre parcel to facilitate construction of two University-affiliated projects: the College Park Academy Charter School and flex research and development buildings.

*Remarks:* The smaller (4.55 acre) of these two parcels is now subject to a ground lease and is currently under construction with an 50,000-square foot customized space to be the new home of the College Park Academy Charter School.

The joint venture, in seeking third-party financing, has determined that it would facilitate obtaining a separate loan for the smaller Academy parcel if the underlying fee simple interest were on a separate legal lot. (The larger 10.37 acre parcel is already on an existing legal lot).

There will not be a transfer of title to the fee simple interest. The ground lease is in place and this proposed subdivision by deed is intended only to create a separate legal lot with the same boundaries at the leasehold interest to facilitate financing.

BOARD OF PUBLIC WORKS	THIS ITEM WAS:	
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOU	T DISCUSSION



#### 7-RP. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> Real Property – Subdivision by Deed; Exchange

*Recommendation:* That the Board of Public Works approve the University of Maryland, College Park:

- (1) entering into a real property agreement to exchange approximately 0.85 acres of unimproved surplus land (the University property) for approximately 0.9 acres of improved property in College Park (the Hillel Property); and
- (2) subdividing the University property to enable the conveyance of the 0.85 acre.

*Prior Board Action:* Property declared surplus – USM Item 4-RP (10/19/16)

*Land Exchange Party One:* State of Maryland for the use of the University System of Maryland on behalf of its constituent institution the University of Maryland, College Park

University Property to Be Exchanged:		Approximately 0.85 acres 7505 and 7511 Yale Avenue, College Park
Appraisals:	<ul> <li>\$1,800,000 Integra Realty Resources (University)</li> <li>\$1,625,000 Philip R. Lamb &amp; Co., Inc. (University)</li> <li>\$1,025,000 McPherson &amp; Assoc., Inc. (Hillel)</li> <li>\$950,000 Smail Associates, Inc. (Hillel)</li> </ul>	
<i>Land Exchange Party Two:</i> University of Maryland, Inc.	Ben & Esther	Rosenbloom Hillel Center for Jewish Life at
Hillel Property to Be Acquired:		Approximately 0.9 acres 7612 Mowatt Lane, College Park
Appraisals:	\$1,800,000 \$2,050,000 \$2,625,000 \$2,540,000	Integra Realty Resources (UMCP) Philip R. Lamb & Co., Inc. (UMCP) McPherson & Assoc., Inc. (Hillel) Smail Associates, Inc. (Hillel)

*Consideration:* The University will transfer the University property and \$500,000 to the Hillel Center in exchange for the Hillel property. This consideration is a negotiated sum and takes into account the difference in fair market value between the two properties, as determined by four appraisals of each property.

*Fund Source:* Current Unrestricted Funds



#### **7-RP.** <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> (cont'd) Real Property – Subdivision by Deed; Exchange

#### Remarks:

- 1. Hillel has been a long time neighbor to the University, providing broad support for the University's Jewish student population through its programs at the Mowatt Lane location. Hillel intends to double the size of its Center for Jewish Life at its new Yale Avenue property which is in walking distance of campus.
- 2. The University System of Maryland Board of Regents approved exchanging the University Property for the Hillel Property at its 4/15/16 meeting.
- 3. The exchange will provide the University with the nearly one-acre Hillel Property improved by a 20,000 square foot building and provide Hillel an unimproved lot of equivalent size to build a 40,000 square foot Center for Jewish Life.
- 4. After conducting an intergovernmental review of the project, the State Clearinghouse recommended declaring the University property surplus to the State and transferring the property to Hillel as part of the proposed exchange. [*MD20160822-0755* (9/28/16).]
- 5. The University submitted the proposed transaction to the Maryland legislative budget committees for review and comment on 10/11/16. No comments were received during the 45-day budget committee review period which expired 11/28/16.
- 6. The Board of Public Works approved recommendation to declare the University property surplus (Item 4-RP) on 10/19/16, which is more than 45 days before the date of this Item.
- 7. Closing will take place when Hillel has all funding, development approvals, and permits in hand for the proposed new Hillel Center.
- 8. After closing, Hillel will lease the Hillel Property back from the University for up to 24 months at a monthly rent of \$12,697. Hillel will pre-pay the first year rent at closing. Hillel will lease the property "as is, where is," pay all utilities, taxes, insurance and operating expenses, and make needed repairs.
- 9. The University will license Hillel for a non-exclusive use of a small tract of unimproved land adjacent to the University property to allow Hillel a construction staging area and, after completion of the Hillel project, for incidental uses such as outdoor events. The University has the right to terminate this license at any time, with 60 days' notice.





#### 8-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK **Real Property – Surplus Declaration**

**Recommendation:** That the Board of Public Works approve the University of Maryland, College Park declaring approximately 55 acres of improved University land surplus for the purpose of conveying it to Washington County.

7313 Sharpsburg Pike, Boonsboro, MD 21713 **Property:** 

#### **Remarks:**

- 1 Washington County currently leases the property which includes the Washington County Agricultural Education Center and various agricultural buildings. The County operates and maintains recreational and other public facilities on the property serving the citizens of Washington County.
- 2. The University System of Maryland Board of Regents approved the transaction at its 10/19/16 meeting.
- 3. After conducting an intergovernmental review of the project, the State Clearinghouse recommended declaring the property surplus and offering it for sale to Washington County. [MD201600302-0155 (5/2/16).]
- 4. The property is part of a larger parcel of real property acquired by quitclaim deed from the United States on February 10, 1977, for no financial consideration.
- 5. A Memorandum of Understanding between the University's College of Agriculture and Natural Resources and the County requires the County to continue to provide space free of charge to for the University Extension program.
- 6. The County has agreed to accept title under a quitclaim deed that will require the County to continue to use the property for public use as an agricultural and heritage center or for any public use that may be approved in the future by the University.
- 7. The University will return to the Board 45 days after the surplus declaration to recommend approval to sell the property to the County.



Supplement C University System of Maryland ACTION AGENDA December 7, 2016



2<sup>nd</sup> REVISION

Contact: Thomas Hickey 301-445-2774 thickey@usmd.edu USM Rep: Joe Evans

#### 9-RP. <u>UNIVERSITY OF MARYLAND EASTERN SHORE</u> Real Property – Acquisition by Deed

**Recommendation:** That the Board of Public Works approve the University of Maryland Eastern Shore: (1) acquiring a student housing project critical to the University's student housing needs; and (2) assuming mortgage loans in connection with the property known as Hawk Plaza.

Property:	Hawk Plaza, 10800 Clipper Circle, Princess Anne
Grantor:	Maryland Hawk Corporation

*Grantee*: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution University of Maryland Eastern Shore

Appraised Value:	W. R. McCain & Associates Trice Group, LLC	\$13,030,000 \$12,830,000
Consideration:	Assumption of \$12,700,000 of debt	
Fund Source:	Plant Funds/R30B35	

**Requesting Institution Remarks:** The 27+ acre property is improved with Hawk Plaza, a 90unit, 180-bed project currently housing more than 150 University graduate students. Maryland Hawk Corporation, a not-for-profit entity created by the University to advance economic development activities on the Eastern Shore, purchased and developed the property to provide housing for graduate students. The project is Maryland Hawk's sole financial responsibility and is not supported by any guaranty or other obligation of the University System.

The original development plan anticipated a project divided into three phases. The completed Phase I includes Hawk Plaza as well as infrastructure (such as parking, paving and roads) for future development of Phases II and III. Phase II would add 60 units/120 beds and Phase III would add 29 units/58 beds.

The project has struggled financially. Maryland Hawk is behind on mortgage payments to Bank of DelMarva and the U.S. Department of Agriculture which jointly financed the construction. Maryland Hawk received notice of impending foreclosure in August 2016. Additionally, Maryland Hawk is to repay the University \$864,250 for funds improperly transferred from the University and identified in Office of Legislative Audit and USM internal audit reports. Repayment was expected to be made in installments with net income from the project.



#### **9-RP.** <u>UNIVERSITY OF MARYLAND EASTERN SHORE</u> (cont'd) Real Property – Acquisition by Deed

#### **Requesting Institution Remarks** (cont'd):

2<sup>nd</sup> REVISION

The University will work with Maryland Hawk to identify other options and possible sources for repayment. However it may be necessary in the future to seek Board of Public Works approval to release this debt.

Maryland Hawk, unable to meet current loan payments, has no prospects for future revenue streams that would enable it to continue to own and operate the project. The non-profit has engaged the University, the University System, and both lenders in discussions to develop a plan of action that would ensure the University's ongoing access to and use of the project.

While housing under Phase I consists of 90 units or 180 beds (rentals are per bed), Phase I put in place much of the infrastructure for Phases II and III as well, including paving, parking and streets necessary for phases two and three were completed during the construction of the Project. If the University and the University System decide that additional student housing is needed in the future, the original development plan can still be used.

The University obtained two appraisals of the property in October 2016. The appraisals provided valuation categories: (i) the *as is* value of Phase I using the income approach; (ii) the *stabilized value* of Phase I using the income approach based on a number of assumptions, including future vacancy rates, rents, operating expenses, University ownership; and (iii) applying the sales approach, the valuation of the unimproved land intended for development of Phases II and III.

The *stabilized-value* approach provided the highest estimated value for Phase I at \$11.85 million by Trice and \$12.1 million by W.R. McCain. While these amounts are assumed based on future performance, the University is comfortable that the basis of the valuations are realistic and achievable. Project income is expected to support the debt service as well as ordinary operating expenses with appraised estimated net annual operating income at \$769,500 and \$844,278. The appraisal amounts shown in the Appraisal field on the first page of this Item reflect the total of adding to the value of the unimproved land to the stabilized value of Phase I.

The University currently leases 429 beds under two-year master leases in two private student housing projects for an aggregate cost of \$4.6 million. The master leases may be terminated at the end of the 2016-17 academic year. Acquisition of Hawk Plaza is expected to be an integral part of University student housing options for graduate and undergraduate students and an asset that will reduce the need to lease privately-owned student housing.



#### 9-RP. <u>UNIVERSITY OF MARYLAND EASTERN SHORE</u> (cont'd) Real Property – Acquisition by Deed

2<sup>nd</sup> **REVISION** 

Hawk Plaza is expected to reduce costs to the University over the long-term through integration into University housing available to all students, and reducing the need to lease private housing. The University can operate the project profitably by:

- reducing the vacancy rate by opening it to all students and not restricting rental to graduate students
- eliminating the costly private-property management services currently in place
- reducing insurance costs Maryland Hawk is required to pay for private insurance whereas the University is covered by the State's self-insurance program.

The University will make mortgage payments to the Bank of Delmarva and the U.S. Department of Agriculture from the rental fees it collects.

*Summary:* Because of the property's proximity to the campus, the potential of the Hawk Plaza project to mitigate the need to master-lease private housing to meet student needs, and the need to recover funds owed the University by Maryland Hawk, the University proposes for Board of Public Works approval to accept title to the property; to assume liability for approximately \$12.7 million in Maryland Hawk's debt to the Bank of Delmarva and the U.S. Department of Agriculture ................................

This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 21, 2016.

<b>BOARD OF PUI</b>	BLIC WORKS	THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DI	SCUSSION	WITHOU	UT DISCUSSION



#### **10-AE.** UNIVERSITY OF MARYLAND BALTIMORE for <u>TOWSON UNIVERSITY</u> Architecture/Engineering Services University Union Expansion and Renovation

Contract ID: Union Building Expansion and Renovation Design Services RFP #15-018 AA-AE

**Project:** This comprehensive renovation and expansion of the Union Building will further the University's vision for developing a more engaging, student-focused facility that supports the campus community. The secondary objective is to address the substantial deferred maintenance backlog in the existing building.

*Contract Description:* Provide complete professional design services for all design phases including concept/program verification, schematic design, design development, construction documents, bidding, construction administration and post construction.

Award:	Design Collective, Inc. Baltimore, MD	
Term:	<ul><li>24 months from issuance of design notice to proceed:</li><li>36 months from issuance of construction notice to proceed</li></ul>	
Amount:	\$8,428,492.37	
Procurement Method:	USM Policies and Procedures for Architect/Engineer Procurements	
MBE Participation:	30% Subgoals of: 6% African-American Owned 2% Hispanic-American Owned 9% Women Owned	



#### 10-AE. UNIVERSITY OF MARYLAND BALTIMORE for TOWSON UNIVERSITY (cont'd) Architecture/Engineering Services University Union Expansion and Renovation

#### **Proposals:**

	Ranking
Design Collection in association with WTW Architects	1
Baltimore	
GWWO Inc. in association with Mackey Mitchell Architects	2
Baltimore	
Cannon Design	3
Baltimore	
Hord Coplan Macht in association with William Rawn Associates	4
Baltimore	
Perkins + Will, Inc.	5
Washington, DC	

#### Performance Security:

None

**Requesting Institution Remarks:** The solicitation was advertised in *eMaryland Marketplace* and on the UMB Procurement Services eBid Board. Ten firms responded to the solicitation. The qualification committee shortlisted five firms as those most qualified to provide the services based upon their technical qualifications. Oral presentations were conducted with the five firms and the committee recommended Design Collective as the most qualified firm. The fee was the result of a negotiated agreement. The A/E selection process inclusive of the fee negotiations were approved by the University's Executive Review Group, which included a public member. The award amount includes all design phases.

Fund Source:	USM Academic/Auxiliary Facility Revenue Bonds
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Resident Business: Yes

*MD Tax Clearance:* 16-3786-1111





#### 11-C-BP. UNIVERSITY OF MARYLAND, BALTIMORE Health Sciences Facility – Third Phase Construction Management at Risk Bid Package 11 of 13

*Contract ID:* Construction Management at Risk Services for Third Phase of Health Sciences Facility at University of Maryland, RFP #11385 BS

**Recommendation:** The University recommends award of construction Bid Package 11 of 13 to install generators and switchgear and connect the generators to HSF III for standby power. Includes UMB allowance, CM fee, and bonds and insurance.

*Contractor:* Barton Malow Company, Baltimore

*Original Approval:* USM 1-C (10/3/2012)

**Project:** The new 331,969 gross square feet Health Sciences Facility III will be occupied by the University of Maryland Schools of Medicine, Dentistry and Pharmacy. The new structure will house laboratory space to be allocated to the schools to address space deficiencies while replacing sub-standard research space in older buildings and expanding research activities for the schools. The building will be located among the existing facilities of the three schools allowing for maximum sharing of resources and interactions between the three schools. Similar to Health Sciences Facility I and II, Phase III is critical to the school's ability to maintain and advance as academic and research leaders as well as recruit and retain the best faculty, students and staff and to advance health care and discoveries for Maryland's citizens.

The Board of Public Works previously approved awarding a Construction Management at Risk contract to Baton Malow Company for professional management and pre-construction services related to this project. The University anticipated presenting to the Board eleven bid packages to be awarded to CMR, Barton Malow, during the construction phase. Two additional bid packages are anticipated; Bid Package 12 will be for audio visual systems and Bid Package 13 will be for a tenant fit-out of shell spaces.

The University anticipates the final value of this CMR contract will be approximately \$248.6 million.

The overall project estimate is \$305 million, which includes design, construction and equipment.

This Bid Package Amount: \$1,568,943



11-C-BP.	UNIVERSITY OF MARYLAND BALTIMORE (cont'd)
	Third Phase of Health Sciences Facility
	Construction Management at Risk
	Bid Package 11 of 13

Amount Pre-Construction; Bid Packages 1-10;		
USM Authorized Changes:	\$ 230,699,358	
Revised Amount:	\$ 232,268,301	
Contract Term:	60 months from	pre-construction notice-to-proceed
Fund Source:	Plant Funds	
MBE Participation:	30% Subgoals:	<ul><li>7% African American</li><li>4% Asian American</li></ul>
MBE Compliance:	32.1% Subgoals:	14.69% African American 6.82% Asian American
Performance Security:	100% performat	nce bond required

**Requesting Institution Remarks:** The Construction Management at Risk contract was initially awarded for pre-construction, early in the design phase. As design progresses and design information becomes available, the contractor sequentially and competitively bids construction packages. This is the eleventh bid package and the second of two generator bid packages. The generator work was presented in two bid packages to maintain the project schedule. Bid Package 11 MBE is 15.28%.

Resident Business: Yes

*MD Tax Clearance:* 16-3709-1111

<b>BOARD OF PUBLIC WORKS</b>	THIS ITEM WAS:		
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN	
WITH DISCUSSION	WITHOU	T DISCUSSION	
			104



#### 12-C. <u>UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE</u> Administration Building First Floor Renovation Project Task Order Based on On-Call Contract

Contract ID:	UMCP Master Contract Number - 84520A UMUC Task Order Number – TORP 91430
Contract Approved:	Contract - USM Item 2-C (5/29/2013) Renewal - USM Item 5-C-OPT (4/27/2016)
Contractor:	Kalmia Construction Company, Beltsville

*Description*: Reconfigure first floor of UMUC Administration Building. Includes preconstruction and construction phases to interior spaces; acquisition of furnishings, audio/video and IT equipment; configurations, signage, and graphics.

**Procurement Method:** 

On Call General Contractor Task Order

Contract Amount:

\$2,749,747

Task Order Bids:

Contractor	Price
Kalmia Construction Company, Beltsville	\$2,749,747
CFI, Rockville	\$3,204,501
Baltimore Contractors, Baltimore,	\$3,399,575
Rich Moe Enterprises, Upper Marlboro	\$3,556,634

Fund Source:	Plant Funds	
Contract Term:	December 8, 2016 – May 28, 2017	
MBE Participation:	26.25% Sub Goals: 7% African-American 4% Asian American	
Performance Security:	100% Performance Bond	


### 12-C. UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE (cont'd) Administration Building First Floor Renovation Project Task Order Based on On-Call Contract

**Requesting Institution Remarks**: The solicitation was issued as a task-order solicitation to the On-Call General Contractors. Four bids were received and award is recommended to the low bidder. UMUC is reconfiguring the first floor of the Administration Building in Adelphi, Prince George's County in accordance with UMUC's Facilities Master Plan. The reconfigured space will be occupied by the Office of Analytics, Planning and Technology.

**Resident Business**:

Yes

MD Tax Clearance:

16-3874-1111





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### 1-IT. MARYLAND PUBLIC TELEVISION

Contract ID: Television Signal Management System ADPICS BPO No.: R15P7400085

*Contract Description*: Install, integrate, commission, and provide training for MPT's Television Production Signal Management System to replace individual production core and master control signal routers.

Awards:	Digital Video Group, Mechanicsville, VA
Term:	1/1/2017 - 4/30/2017
Amount:	\$951,417 (120 days)
Procurement Method:	Competitive Sealed Proposals

Proposals:	Rank			
-	Technical	Financial	Evaluated Price	Overall
Digital Video Group	1	2	\$951,417	1
Communications Engineering, Inc.	2	1	\$905,927	2
Diversified System Group	3	3	\$1,182,015	3

*MBE Participation*: None

**Remarks:** MPT directly solicited seven vendors and notified seven other vendors through *eMarylandMarketplace*. The solicitation required offerors to be an authorized manufacturer's representative for the sale and integration of the product they were offering to supply. MPT received three proposals; all three authenticated they were authorized representatives of Grass Valley Group and Utah Scientific.

Digital Video Group is recommended for award as being the highest-ranked technically with its technical superiority being judged to outweigh the roughly 5% difference in price over the second technically-ranked offeror.



# **1-IT.** <u>MARYLAND PUBLIC TELEVISION</u> (cont'd)

#### *Remarks*: (cont'd)

The selected contractor, Digital Video Group, offers a full 24x7 extended 10-year warranty of the Utah Scientific product at no additional cost. The product is extremely robust and reliable noting few issues relative to performance. Since 1977 Utah Scientific has dedicated its resources to one type product providing the best products in the marketplace with the best warranties available. The system is small and occupies less space, yet meets all the system requirements for MPT with more flexibility for processing power.

Purchase, installation, and integration must be provided by an authorized manufacturer's representative; therefore, this does not allow for MBE subcontracting opportunities.

*Fund Source*: Special (viewer support)

Approp. Code: R15P0002

Resident Business: No

**MD Tax Clearance:** 16-3831-0000





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### 2-IT-MOD. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> Procurement Services Division

Contract ID:	Electronic Tracking of Offenders ADPICS BPO No.: Q00B6400071
Contract Approved:	DoIT Item 4-IT (11/16/2011)
Contractor:	B I, Inc., Boulder, CO

*Contract Description*: Provide offender electronic tracking services and equipment for both radio frequency and global positioning systems.

Modification Description:	Extend term nine months
Original Contract Term:	1/1/2012 - 12/31/2014 (with two 1-year options)
Modification Term:	1/1/2017 - 9/30/2017
Prior Options:	1/1/2015 – 12/31/2015 (DoIT Item 5-IT-OPT 12/3/2014) 1/1/2016 – 12/31/2016 (DoIT Item 5-IT-OPT 12/16/2015)
Original Amount:	\$2,567,667 (Base) \$ 855,889 (Option 1) <u>\$ 855,889 (Option 2)</u> \$4,279,445
Modification Amount:	\$ 642,469
<b>Revised Total Contract Amount:</b>	\$4,921,914
Percent+/- (This Modification):	25%
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
<b>MBE</b> Participation:	None



# 2-IT-MOD. <u>PUBLIC SAFETY & CORRECTIONAL SERVICES (cont'd)</u>

**Remarks:** The vendor provides global positioning system electronic tracking services and equipment for use in monitoring certain offenders that have varied supervision requirements under DPSCS authority. Services and equipment include leasing one-piece GPS trackers and accessories, the software necessary to operate various tracking functions and a fully-functional virtual operations platform for use by DPSCS personnel.

This modification will extend the contract for nine months, allowing DPSCS time to issue a solicitation for a new contract.

*Fund Source*: General

Approp. Code: Q00C02

Resident Business: No





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#### **3-IT-OPT.** DEPARTMENT OF HUMAN RESOURCES Child Support Enforcement Administration

*Contract ID:* Maryland State Directory of New Hires CSEA/SDNH/14-001 A1, ADPICS BPO No.: N00B4400213 7 4 0 0 1 9 3

*Contract Approved:* DoIT Item 6-IT (11/6/2013)

Contractor: MAXIMUS Human Services, Inc., Reston, VA

*Contract Description*: (1) Operate and maintain the Maryland State Directory of New Hires, an automated system for collecting, storing, and extracting employer-reported information on new hires as mandated by federal law; and (2) provide outreach to employers who fail to report and induce them to comply.

<b>Option Description:</b>	Exercise first of two options
Original Contract Term:	11/17/2013 – 12/16/2016 (w/ two 1-year options)
Option Term:	12/17/2016 - 12/16/2017
Original Contract Amount:	\$925,073
<b>Option Amount:</b>	\$322,146
Prior Mods/Options:	None
<b>Revised Total Contract Amount:</b>	\$1,247,219
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
MBE Participation:	35.6%
MBE Compliance:	21.67%



# **3-IT-OPT. DEPARTMENT OF HUMAN RESOURCES** (cont'd)

*Remarks*: DHR seeks to exercise the first of two 1-year renewal options to continue operation of New Hire services through MAXIMUS, Inc. which currently operates the federally-mandated Maryland State Directory of New Hires. The federal mandate requires employers to report employment information on newly hired or rehired employees.

MAXIMUS operates and maintains an automated system for collecting, storing, and extracting information reported by employers on new hires to meet State and federal laws and regulations. The contractor also provides outreach to those employers who fail to report and induce them to comply.

It is in the best interest of the State to continue current services, as the delivery of services is timely and accurate with all of the new hires reporting as required. MAXIMUS is an industry leader and has successfully implemented this contract, ensuring that DHR meets federal and State compliance levels. Contractor now has 14 years' experience providing New Hire services for the State. In addition, this vendor provides New Hire services in 19 other states, accounting for half of the nation's New Hires reporting programs.

In 2015, Maryland State Directory of New Hires activities included:

- Processing 1,023,661 New Hire records (7.32% decrease from 2014 due to employer's ability to choose which state they report the New Hire, affecting companies with operations in multiple states)
- 177,724 employers reporting (increasing from 168,287, a 5.6% average increase over four years)
- 6,117 new employers reporting (increasing from 5,720 in 2014)
- 92.58% electronic reporting rate (increasing from 91.64%)

Though the MBE goal is not currently met, the contractor intends to attain the MBE goal by the end of the contract term. MAXIMUS plans to use the MBE firm to send monthly mailings to non-compliant employers, print and distribute postcards to employers for additional outreach efforts, and hire a part-time data entry operator. These activities should increase the MBE participation.

*Fund Source*: Special (Title IV-D)/N00H0008

 Resident Business: Yes (Baltimore local office)

 BOARD OF PUBLIC WORKS
 THIS ITEM WAS:

 APPROVED
 DISAPPROVED
 DEFERRED
 WITHDRAWN

 WITH DISCUSSION
 WITHOUT DISCUSSION



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#### 4-IT-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> For the Department of Budget and Management

Contract ID:	State Personnel System Project Resourcing Services ADPICS BPO No.: F50B3400034; COH04545
Contract Approved:	DoIT Item 2-IT (7/24/2013)
Contractor:	Bodhtree Solutions, Inc. (Fremont, CA) Credence management Solutions, LLC (Herndon, VA) Proser Corp d/b/a Tekskills, Inc. (Edison, NJ) ST Net, Inc. (Rockville, MD) US Tech Solutions, Inc. (Gaithersburg, MD)

*Contract Description*: Multiple award, indefinite quantity, task-order based Master Contract to provide State Personnel System Project with technical and consulting resources for 25 distinct labor categories.

*Modification Description:* Increase contract amount to allow the State Personnel System project to retain critical and skilled resources and to procure sufficient individual staffing resources as needed until estimated project completion date of March 31, 2018.

Original Contract Term:	7/25/2013 - 7/24/2018 (5 years) (no change)
Original Amount:	\$14,400,000 (Base)
Modification Amount:	\$ 5,300,000
<b>Revised Total Contract Amount:</b>	\$19,700,000
Percent+/- (This Modification):	+36.81%
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
MBE Participation:	None



# 4-IT-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

**Remarks:** Benefits Implementation was delayed because the prime's subcontractor, Workday, reported serious performance issues at the time of system testing. With the assistance of the Office of the Attorney General, the State is seeking to recoup the cost attributed to the delay. With the anticipated completion date of the Benefits implementation now March 31, 2018, the project requires critical skills longer than expected. Additional funding is needed either to extend or procure sufficient individual staffing resources for the project. This contracting vehicle is only available to support the SPS project.

Fund Source:	Statewide Personnel System Project	
Approp. Code:	F50B0406	
Resident Business:	Bodhtree Solutions, Inc. Credence Management Solutions, LLC Proser Corp d/b/a Tekskills, Inc. ST Net, Inc. US Tech Solutions, Inc.	No No Yes Yes





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### 5-IT. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID:	Michigan Collegiate Telecommunications Association Voice-over-IP, Long Distance and Toll Free Telecommunications Services ADPICS BPO No.: 060B7400038, 060B7400039
Contract Description services	Provide voice-over internet protocol, long distance and toll-free calling
Awards:	Level 3 Communications, LLC, Broomfield, CO Verizon Business Network Services, Inc., Ashburn, VA
Term:	12/8/2016 - 12/7/2019 (three years)
Amount:	\$ 6,476,087 (Level 3, Voice-over-IP) <u>\$ 7,591,356 (Verizon, Long Distance/Toll Free)</u> \$14,067,443 NTE
Procurement Method	<i>I</i> : Intergovernmental Cooperative Purchasing [Michigan Collegiate Telecommunications Ass'n Master Service Agreement]

MBE Participation: None

Incumbents:	AT&T (Long Distance)
	Verizon (Toll Free)

**Remarks:** DoIT intends to use the Michigan Collegiate Telecommunications Association (MiCTA) Master Service Agreement to obtain Voice over Internet Protocol (IP) telecommunication services provided by Level 3. This intergovernmental contract provides DoIT with a favorable pricing structure to procure the required services in a timely manner that will meet the mission critical initiatives of DoIT. During this three-year contract, DoIT will complete a statewide transition of the State's time division multiplexing network to an IP-based network.

DoIT also anticipates using the MiCTA Master Service Agreement to acquire a replacement contract vehicle for Long Distance and Toll Free telecommunications services. Through this Agreement, DoIT will migrate Long Distance and Toll Free services from the existing contracts with AT&T and Verizon. Those contracts expire 12/31/2017 and will be extended for approximately one year to allow local government entities time to either contract with MiCTA for services or obtain individual contracts.



# **5-IT. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u>** (cont'd)

- Fund Source: Various
- Approp. Code: Various

*Resident Business*: Yes (both have local offices in Maryland)

*MD Tax Clearance:* 16-3919-1110 – Level 3 16-3618-1001 – Verizon

This Item was withdrawn as DoIT Item 2-IT (11/16/16).

<b>BOARD OF PUBLIC WORKS</b>	THIS ITEM WAS:	
APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOUT I	DISCUSSION

REVISED



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# 6-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID:Statewide Public Safety Wireless Communications SystemADPICS BPO No.:060B1400056

*Contract Approved:* DoIT Item 3-IT (11/17/2010)

*Contractor:* Motorola, Inc., Columbia, MD

*Contract Description*: Provide integrated Statewide public safety wireless communication system for public safety first responders across all levels of State government. The radio system uses the Public Safety 700 MHz spectrum licensed to the State by the FCC.

*Modification Description:* Reallocate spending components within the current contract ceiling amount:

- Delete \$11 million from subscriber equipment component (i.e., mobile, portable radios)
- Add \$11 million to infrastructure component to purchase additional network infrastructure and capacity allowing the Maryland Transit Administration to join the system.

<b>Original Contract Term:</b>	11/18/2010 – 11/17/2018 (w/seven 1-year renewal options)
Original Amount:	\$345,000,000 (8-year base) <u>\$140,000,000 (\$20 million each option year [7 total])</u> \$485,000,000 Total
Modification Amount:	None
<b>Revised Contract Amount:</b>	No change
Percent+/- (This Modification):	None
<b>Original Procurement Method:</b>	Competitive Sealed Proposals
<b>MBE</b> Participation:	20% of contract amount that does not include subscriber equipment
MBE Compliance:	21.62%



Fund Source:



# 6-IT-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

**Remarks:** Over 12,000 State agency users rely on the 700 MHz Public Safety Communications system to support day-to-day and emergency operations. Additionally, more than 19,000 local, other state, and federal public safety radios can access the system during crises or disasters to provide unified operations and support to Marylanders. With the completion of Phase 3 in October 2016, more than two-thirds of the State's geographical area and over 83% of the State's citizens live in areas supported by the system. Work is continuing to deploy the system in the State's Western and Southern areas. As the system has grown, demand by State agencies to use the system has increased, as it is a proven, cost effective way to provide wide area communications.

The Maryland Transit Administration has long operated its own radio communications systems to support day-to-day functions. In February 2012, the Federal Communications Commission notified the MTA that it would need to vacate its licensed frequencies for other spectrum by 2021. At its June 2016 meeting, the Radio Control Board determined that MTA is eligible to use the spectrum of the Statewide 700 MHz radio system. MTA's migration to the Statewide radio system will more than double the use of the system in the Baltimore area.

To accommodate the needed increase in bandwidth, MTA plans to expand the capacity of the Baltimore County simulcast cell by eight channels at every Baltimore radio sub-site. By leveraging the existing Statewide system, MTA will be able to obtain reliable communications support for its operations and Police Department in a cost effective manner, and the standardization of equipment amongst State agencies will enable the State to maximize its purchasing power.

MTA is providing its own funding for the purchase of the infrastructure and has agreed to pay the vendor directly from its own agency funds. This spending authority transfer is similar to what was done in Contract Modification #13 to establish an Operations and Maintenance fund while protecting the contract ceiling, (DoIT Item 7-IT [April 15, 2015]). Contract ceiling within the subscriber portion of the contract is available as a result of more refined equipment projections since the drafting of the original solicitation and no future increase to the subscriber equipment ceiling is planned.

Approp. Code:	Various	Resident Business: Ye	es
<b>BOARD OF PUB</b>	LIC WORKS	THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DIS	CUSSION	WITHOUT DIS	CUSSION

Reimbursable (using agency funds)

REVISED



# 6-IT-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

# **Prior Modifications**

Mod	Date	Description	Value
2	12/22/ 2011	Eliminated certain Phase 1 work and used the savings to install four Kent County antenna sites from Region 2 into Phase 1 (with a net credit back in the amount of \$11,072)	(\$11,072)
3	6/6/2012	Replaced Horizon Real Estate Group, LLC with Birch Advisors on the MBE Participation Schedule and maintained the original MBE goals and sub-goals	No cost
4	1/7/2013	Eliminated certain Phase 2 work and used the savings to make site improvements and other work, at no additional cost to the State	No cost
5	7/11/2013	Allowed the State and Contractor to more efficiently perform work within the remaining four regions at no additional cost to the State	No cost
6	8/15/2013	<ul> <li>(a) Phase Two modifications allowing the State and Contractor to perform additional work that could not have been reasonably identified during requirements definition;</li> <li>(b) Allocates estimated inflation cost for Phase Two</li> <li>(c) Allocates estimated inflation cost for Phase Three</li> </ul>	(a) \$ 2,123,693 (b) \$ 1,114,245 (c) \$ 2,836,407 TOTAL: \$6,074,345
7	8/15/2013	Additions and deletions to Phase Three effort, allowing the State and Contractor to perform additional work that could not have been reasonably identified during requirements definition	\$2,624,644
8	4/16/2014	Changes to Phase Two and Phase Three effort, allowing the State and Contractor to perform additional work that could not have been reasonably identified during requirements definition	\$1,215,451
9	12/2/2014	Procedural changes to enhance State control over the project (no-cost change)	No cost
10	12/3/2014	<ul> <li>(a) Authorization for operations and maintenance costs beyond the warranty period for Phase1/Region 1A and Phase 2/Region 2, set forth in Attachment F-3 of Motorola's Financial Proposal at time of initial contract.</li> <li>(b) Also allocates estimated inflation cost for Phase 4 period as provided by the contract</li> </ul>	(a) \$11,617,357 (b) \$ 2,022,165 TOTAL: \$13,639,522





# 6-IT-MOD. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

# **Prior Modifications** (cont'd)

Mod	Date	Description	Value
11	4/2/2015	<ul> <li>(a) Corrects an error in contingency funding.</li> <li>(b) Adds multiple projects totaling \$4,704,535, funded from contingency and further detailed within the Modification; also assigns the progress payment for each added project to an existing Milestone.</li> </ul>	\$4,704,535
12	5/26/2015	Adjusted warranties start date to be sub-regional instead of regional.	No cost
13	6/16/2015	<ul> <li>(a) Zero cost modification to re-align \$20,000,000 in funding from the radio hardware component of the contract to contingency</li> <li>(b) Section 28.2 amended to update the State Procurement Officer assigned to this contract</li> </ul>	No cost
14	9/4/2015	Changes to Phase Two, Phase Three, and Phase 4 effort, allowing the State and Contractor to perform additional work that could not have been reasonably identified during requirements definition	\$1,704,090
15	9/29/2015	Adjusted CPI through 11/16/20	No cost
16	1/6/2016	Ph 4 and Ph 5 additional work scope and reconciliation	(\$1,823,061)
17	5/2/2016	Ph 4, Ph 5 Additional work scope	\$520,023
18	6/14/2016	Ph 3, Ph 4, Ph 5 Additional work scope	(\$1,377,000)



Larry J. Hogan Governor

Boyd K. Rutherford Lt. Governor

Pete K. Rahn Secretary

# **BOARD OF PUBLIC WORKS (BPW)**

# **ACTION AGENDA**

# **December 7, 2016**

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Service	5 - 10
Maintenance	11 – 18
Equipment	19 – 20
Real Property	21
General/Miscellaneous	22 – 29



Contact: Eric T. Lomboy 410-545-0330 elomboy@sha.state.md.us

### 1-AE. <u>STATE HIGHWAY ADMINISTRATION</u> Architectural/Engineering Services Contract

*Contract ID:* Supplemental Engineering Support Services - District 3 and District 4; BCS 2014-16 E and F; ADPICS Nos.: SBCS1416E and SBCS1416F

*Contract Description:* These contracts are the final two of the eight open-ended, taskorder based contracts to provide Supplemental Engineering Support Services for Montgomery and Prince George's Counties (District 3) and Baltimore and Harford Counties (District 4).

Awards:	Johnson, Mirmiran & Thompson, Inc./ Contract E (Dist Whitman, Requardt & Associates, LLP (JV) Sparks, MD		
	AECOM Technical Services, Inc. Hunt Valley, MD	Contract F (District 5)	
Contract Term:	12/22/2016 - 12/21/2021		
Amount:	\$3,500,000 NTE (Contract E – District 3) \$3,500,000 NTE (Contract F – District 4) (Grand total \$7,000,000 NTE)		
Procurement Method:	Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on November 3, 2016.		

Proposals:				
	Technical Proposal Rating (Max 560)	Technical Ranking	NTE Price	
Wallace, Montgomery & Associates, LLP Hunt Valley, MD – District 5	399.6	1	Contract A Approved on 09/21/2016	
A. Morton Thomas & Associates, Inc. Baltimore, MD – District 7	398.1	2	Contract B Approved on 09/21/2016	



# **1-AE.** <u>STATE HIGHWAY ADMINISTRATION</u> (cont'd)

Proposals (cont'd):	Technical Proposal Rating (Max 560)	Technical Ranking	NTE Price
Greenman-Pedersen, Inc. Annapolis Junction, MD – District 3	397.2	3	Contract C Approved on 09/07/2016
Whitney, Bailey, Cox & Magnani, LLC/ Urban Engineers, Inc. (JV) – District 4 Baltimore, MD	377.8	4	Contract D Approved on 09/07/2016
Johnson, Mirmiran & Thompson, Inc./ Whitman, Requardt & Associates, LLP (JV) Sparks, MD – District 3	376.3	5	\$3,500,000 (Contract E)
AECOM Technical Services, Inc. Hunt Valley, MD – District 4	376.0	6	\$3,500,000 (Contract F)
Prime AE Group, Inc./ Gannett Fleming, Inc. (JV) – District 2 Baltimore, MD	374.4	7	Contract G Approved on 09/21/2016
KCI Technologies, Inc. Sparks, MD – District 6	371.0	8	Contract H Approved on 09/21/2016
Rummel, Klepper & Kahl, LLP Baltimore, MD	344.4	9	N/A
Brudis & Associates, Inc./ Development Facilitators, Inc. (JV) Columbia, MD	340.8	10	N/A
Jacobs Engineering, Inc. Baltimore, MD	332.1	11	N/A
Alpha Construction and Engineering Corporation/ Sabra Wang & Associates, Inc. (JV) Baltimore, MD	329.6	12	N/A
O'Connell & Lawrence, Inc./ ATCS P.L.C. (JV) Olney, MD	321.0	13	N/A
STV Incorporated Baltimore, MD	315.2	14	N/A
Sheladia Associates, Inc. Rockville, MD	234.5	15	N/A



### **1-AE.** <u>STATE HIGHWAY ADMINISTRATION</u> (cont'd)

#### *DBE Participation*: 29% each

**Requesting Agency Remarks:** The solicitation was advertised in The Daily Record, eMaryland Marketplace notifying 748 firms of which 164 were certified DBE's and on SHA's web page on April 10, 2015. A total of 15 engineering consultant firms submitted technical proposals for this project.

The Consultant shall provide Supplemental Engineering Support Services in Montgomery and Prince George's Counties (District 3) and Baltimore and Harford Counties (District 4) and statewide with the approval of SHA's Deputy Administrator. Services to be provided including, CADD/drafting services activities; change orders and claim work; utility related work relocation coordination; sketch book review; constructability review of proposed preliminary/design projects; claims review and analysis and assistance with case preparation; and project schedule reviews and analysis Critical Path Method (CPM) and Initial CPM.

The current incumbents providing these services in Districts 2, 3, 4, 5 6, and 7 are: Johnson, Mirmiran & Thompson, Inc., Rummel, Klepper & Kahl, LLP, Century Engineering, Inc. /Whitney, Bailey, Cox & Magnani, LLC, Whitman, Requardt & Associates, LLP/Johnson, Mirmiran & Thompson, Inc., A.Morton Thomas & Associates, Inc., and URS Corporation.

This contract includes a provision authorizing an extension for a total period no longer than onethird of the base term to spend funds remaining on the contract as provided in Board Advisory 1995-1.

Fund Source:	Federal and Special Funds Budgeted to SHA		
Approp. Code:	J02B0101		
Resident Businesses:	Yes		
MD Tax Clearance:	Johnson, Mirmiran & Thompson. Inc./ Whitman, Requardt & Associates, LLP (JV)	16-3403-1111	
	AECOM Technical Services, Inc.	16-3404-1111	





Contact: Linda D. Dangerfield 410-859-7097 <u>ldangerfield@bwiairport.com</u>

### 2-S. <u>MARYLAND AVIATION ADMINISTRATION</u> Services Contract

*Contract ID:* Airport Subsurface Utility Engineering (SUE) and Geospatial Engineering Systems Services at Baltimore/ Washington International Thurgood Marshall (BWI Marshall), Martin State (MTN) and other Regional Airports; MAA-SV-17-003 and MAA-SV-17-014; ADPICS No.: MAASV17003 and MAASV17014

*Contract Description:* These two task order contracts will provide consultant services to assist in implementing customized aviation and airport-specific applications to leverage GIS information and other data in nearly every element of airport engineering, planning, construction, operations, security, life safety, and maintenance at BWI Marshall, MTN, and Regional Airports

Awards:	Johnson, Mirmiran & Thompson, Inc. Sparks, MD			(MAA-SV-17-003)
	AECOM Tech Germantown,	(MAA-SV-17-014)		
Contract Term:	01/01/2017 – 12/31/2023 (Six Years)			
Amount:	\$6,500,000 NTE (MAA-SV-17-003) \$2,500,000 NTE (MAA-SV-17-014)			
Procurement Method:	Competitive Sealed Proposal			
Proposals:		Technical <u>Ranking</u>	Financial Off <u>Ranking</u>	fer Overall <u>Ranking</u>
Johnson, Mirmiran & Sparks, MD	z Thompson, Inc	c. 1	\$6,638,500	(2) 1
AECOM Technical S Germantown, MD	Services, Inc.	2	\$6,145,000	(1) 2
MBE Participation:	18% each			
Performance Security:	None			



### 2-S. <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

Hiring Agreement Eligible: Yes

Incumbent: None

**Requesting Agency Remarks:** This Solicitation was advertised on eMaryland Marketplace and MAA website. eMaryland Marketplace notified 14 firms, of which ten were MBE firms. The MAA directly solicited eight prospective bidders, including three MBE firms. The solicitation was sent to the Governor's Office of Minority Affairs and minority business associations on June 14, 2016. Fourteen sets of specifications were obtained; two proposals were received.

The MAA contacted the 12 non-proposing firms to ascertain reasons for not submitting a proposal and found:

- six firms did not have the required experience;
- two firms was a product provider; and
- four firms were working on other proposals/bids.

After completion of the evaluation process, the Panel determined that both firms offer value to the State and recommended that both firms be awarded contracts. The Selection Panel ranked Johnson, Mirmiran & Thompson, Inc. the highest of the offerors, considering the combination of the key staff, the technical approach to the sample tasks and the overall experience of the team. Johnson, Mirmiran & Thompson, Inc. has excellent project management experience at BWI Marshall Airport and very experienced in Geospatial Engineering and Subsurface Utility Engineering. The panel felt given Johnson, Mirmiran & Thompson, Inc.'s qualifications and extensive experience throughout the United States at medium and large hub commercial airports, a contract award to Johnson, Mirmiran & Thompson, Inc. provides the State with the most qualified staff to perform the tasks required by the contract.

AECOM Technical Services, Inc. possesses excellent team experience, has strong past performance at and knowledge of BWI Marshall and Martin State Airports. AECOM Technical Services, Inc. offered strong desktop and mobile app solutions. AECOM Technical Services, Inc. also presented an effective presentation regarding the potential value of the services to be provided.

The contract amount is based on the final budget amount. Neither contractor has a guaranteed minimum or maximum amount, except for the overall budget limitation.

Fund Source:	100% Other Funds (Airport Facilities Development)
Approp. Code:	J06I00003



# 2-S. <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

Resident Businesses: Yes

MD Tax Clearance:	AECOM Technical Services, Inc.	16-3440-1111
	Johnson, Mirmiran & Thompson, Inc.	16-3441-1111





Contact: Linda D. Dangerfield 410-859-7097 <u>Idangerfield@bwiairport.com</u>

#### 3-S. <u>MARYLAND AVIATION ADMINISTRATION</u> Services Contract

*Contract ID:* Comprehensive Air Service Development and Analysis at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport; MAA-SV-17-004 A/B; ADPICS No.: MAASV17004

*Contract Description:* This task order contract provides for consultant services to provide analytical insights promoting the Administration's development of a comprehensive strategy to ensure BWI Marshall Airport reaches its fullest potential as an international and domestic gateway airport.

Award:	ICF SH&E, In Fairfax, VA	с.		(Contract A)	
	Campbell-Hill Alexandria, V.		up, LLC.	(Contract B)	
Contract Term:	01/01/2017 - 12/31/2022* (Five Years) 01/01/2017 - 12/31/2021 (or earlier upon BPW Approval) See Record		2021 (Five Years)		
Amount:	\$2,750,000 NT	ГЕ		ection: Secretary's 16 (12/16/20)	
Procurement Method:	Competitive S	ealed Proposal	l		
Proposals:		Technical* <u>Ranking</u>	Financial O <u>Ranking</u>	ffer Overall <u>Ranking</u>	
ICF SH&E, Inc. Fairfax, VA	(Contract A)	1	\$536,500 (4)	1	
Campbell-Hill Aviat Group, LLC Alexandria, VA	ion (Contract B)	2	\$625,800 (5)	2	
Ailevon, LLC d/b/a, Ailevon Pacif Dallas, TX	ic Aviation Cons	3 ulting	\$482,600 (3)	3	
Seabury Airline Plar Reston, VA	nning Group	4	\$457,700 (2)	4	



#### **3-S.** MARYLAND AVIATION ADMINISTRATION (cont'd)

Proposals:		Technical* <u>Ranking</u>	Financial Offer <u>Ranking</u>	Overall <u>Ranking</u>	
Avia Solutions, Inc.		5	\$367,700 (1)	5	
Norwalk, CT	*Technical ranking carried heavier weight than financial offer ranking.				
MBE Participation:	8.5%				
Performance Security:	None				
Hiring Agreement Eligible:	Yes				
Incumbents:	ICF SH&E, In Fairfax, VA	IC.			
	Campbell-Hill	Aviation Gro	up. LLC.		

Campbell-Hill Aviation Group, LLC. Alexandria, VA

**Requesting Agency Remarks:** This Solicitation was advertised on eMaryland Marketplace and MAA website. eMaryland Marketplace notified 68 firms, of which five were small business firms. The MAA directly solicited six prospective bidders. The solicitation was sent to the Governor's Office of Minority Affairs and minority business associations on August 15, 2016. Nine sets of specifications were obtained; five proposals were received.

The MAA contacted the four non-proposing firms to ascertain reasons for not submitting a proposal. Each firm indicated it did not have the required experience.

The scope of services includes developing traffic forecasts for service deficient markets. The consultants will also evaluate and monitor factors pertaining to air carrier operating costs and traffic generation, both actual and potential, at BWI Marshall and other airports, including but not limited to, Philadelphia International Airport, Ronald Reagan Washington National Airport and Washington Dulles International Airport.

After completion of the evaluation process the Selection Panel determined that both ICF SH&E,Inc. (ICF) and Campbell-Hill Aviation Group, LLC (Campbell-Hill) offer value to the State and recommended that both firms be awarded contracts.

The Selection Panel ranked ICF the highest of the offerors, considering the combination of technical expertise of the proposed key staff, the project goals and management approach and the overall experience of the firm. ICF has extensive experience working with international carriers



### **3-S.** <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

#### Agency Remarks (cont'd)

and their presentations have been instrumental in the efforts of the State to attract service from Condor to Frankfurt, Norwegian to the French Caribbean and WOWair to Iceland during the past five years. Additionally, ICF was key in assisting the State in attracting service from low-cost carrier Spirit Airlines, which is now the fourth largest carrier at BWI Marshall Airport.

Campbell-Hill's intimate knowledge and relationship with Southwest Airlines has proven successful in assisting clients with attracting new international air service from major international air carriers. Campbell-Hill provided multiple strategies for BWI Marshall Airport's pursuit of domestic routes and international strategies to maintain/increase passenger traffic; ensure success of incumbent carriers/services, and maintain focus on and by Southwest Airlines. The Selection Panel felt that given Campbell-Hill's extensive experience and contacts with BWI Marshall's largest air carriers, a contract award to Campbell-Hill provides the State with qualified staff to perform the tasks required by the contract.

Campbell-Hill's significant experience and strength combined with those of ICF will be of value to the State, in accordance with the RFP which states that the technical factors carry more weight than the financial offer.

The contract amount is based on the final budget amount. None of the contractors have a guaranteed minimum or maximum amount, except for the overall budget limitation.

Fund Source:	100% Special Funds (Transportation Trust Fund)		
Approp. Code:	J06I00002		
Resident Businesses:	Yes		
MD Tax Clearance:	ICF SH&E, Inc. Campbell-Hill Aviation Group, LLC	16-3644-0111 16-3643-0110	





Contact: Linda D. Dangerfield 410-859-7097 Idangerfield@bwiairport.com

### 15. <u>DEPARTMENT OF TRANSPORTATION</u> *Record Correction*

**Recommendation:** That the Board of Public Works accept a correction to the record in which the contract term was incorrectly reported. The contract term is five years ending in 2021 not 2022.

Original Approval: Contract: Contract ID:	MDOT Agenda, 3-S, 12/07/2016 Comprehensive Air Service Development and Analysis at Baltimore/Washington International Thurgood Marshall Airport MAA-SV-17-004	
Approved Contract Term:	01/01/2017 – 12/31/2022 (Five Years)	
Corrected Contract Term:	01/01/2017 – 12/31/2021 (Five Years)	





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### 4-M. <u>MARYLAND AVIATION ADMINISTRATION</u> Maintenance Contract

*Contract ID:* Noise Monitoring and Analysis System Maintenance and Support at Baltimore / Washington International Thurgood Marshall (BWI Marshall) Airport; MAA-MC-17-022; ADPICS No.: MAAMC17022

*Contract Description*: This contract provides for continuing maintenance and support for the BWI Noise Monitoring and Analysis System consisting of a fully integrated system to manage and analyze acoustical data, aircraft flight track data, and noise complaint data in support of MAA's BWI Noise Abatement Program. This contract includes on-going maintenance of the System software, databases, equipment calibration of the noise monitoring acoustical equipment, software upgrades and staff training.

Award:	Harris Corporation Herndon, VA
Contract Term:	01/01/2017 - 12/31/2019
Amount:	\$527,889
Procurement Method:	Sole Source
Living Wage Eligible:	Yes
<b>MBE</b> Participation:	0% (Proprietary)
Performance Security:	No
Incumbent:	Harris Corporation Herndon, VA

**Requesting Agency Remarks:** The Engineer's Estimate for this project is \$602,363. The negotiated amount is \$527,889, which is 14% lower than the Engineer's Estimate and only 4% higher than the 2011 bid price for this system. Therefore, MAA considers Harris Corporation price fair and reasonable.

The Noise Monitoring and Analysis System provides the necessary noise data to monitor and analyze aircraft noise consistent with Federal and State noise compatibility programs. The System utilizes noise monitors installed at various locations in surrounding communities as well as flight track data from the Federal Aviation Administration (FAA) through our contractor Harris Corporation. The System data is used as the basis for the BWI Marshall Airport Noise Zone.



# 4-M. <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

#### Agency Remarks (cont'd):

The maintenance contract for this system was previously procured as a Sole Source contract since the Harris Corporation product (formerly known as Excelis, ITT, ERA Systems and BAE Systems) is proprietary, and Harris Corporation is the only provider of maintenance, replacement parts, support and training for this System which was specifically designed for BWI Marshall Airport.

MAA is currently in the process or requesting proposals for a new Noise and Operation Monitoring System. The full integration of the system will take approximately 2 years from notice to proceed. MAA anticipates issuing NTP in May 2017.

In accordance with COMAR 21.05.05.02.A.(2), a sole source procurement is needed due to the proprietary nature of the unique components of the System, built specifically for BWI Marshall Airport.

Fund Source:	100% Other Funding (Transportation Trust Fund		
Approp. Code:	J06I0003		
Resident Business:	Yes		
MD Tax Clearance:	16-3220-1111		





Contact: Eric T. Lomboy 410-545-0330 <u>elomboy@sha.state.md.us</u>

#### 5-M. <u>STATE HIGHWAY ADMINISTRATION</u> *Maintenance Contract*

*Contract ID:* Brush and Tree Cutting & Stump Removal at Various Locations in Southern Anne Arundel County; 4292A51419; ADPICS No.: 4292A51419

*Contract Description*: This contract consists of brush and tree cutting & stump removal at various locations in Southern Anne Arundel County.

Awards:	Excel Tree Expert Co., Inc. Jessup, MD		
Contract Term:	12/22/2016 - 12/31/2019		
Amount:	\$782,550 NTE		
Procurement Method:	Competitive Sealed Bidding		
Bids:	Excel Tree Expert Co., Inc. \$ 782,550 Jessup, MD		
	Pittman's Tree & Landscaping, Inc.\$1,090,879Front Royal, VA		
Living Wage Eligible:	Yes		
MBE Participation:	0% (Single Element of Work)		
Performance Security:	An annual renewable payment and performance bond in the amount equal to the Contract price per year exists on this contract.		
Incumbent:	Excel Tree Expert Co., Inc. Jessup, MD		

*Requesting Agency Remarks:* The Engineer's Estimate for this contract is \$726,375. The low bid received is 7.73% over the Engineer's Estimate. SHA has confirmed Excel Tree Expert Co., Inc.'s bid price.



### 5-M. <u>STATE HIGHWAY ADMINISTRATION</u> (cont'd)

#### Agency Remarks (cont'd):

This contract was advertised on August 30, 2016 with bids opened on September 29, 2016. The Solicitation was advertised in eMaryland Marketplace, notifying 254 potential contractors; 19 of which were MDOT Certified MBE's.

This open ended, on-call contract consists of brush and tree cutting & stump removal at various locations in Southern Anne Arundel County. The contractor shall be capable of supplying three tree trimming work crews comprised of three men each and all required equipment simultaneously.

Fund Source:	100% Special Funds (Transportation Trust Fund)		
Approp. Code:	J02B0102		
Resident Business:	Yes		
MD Tax Clearance:	16-3578-0111		





Contact: Linda D. Dangerfield 410-859-7097 <u>ldangerfield@bwiairport.com</u>

### 6-M-MOD. <u>MARYLAND AVIATION ADMINISTRATION</u> *Renewal Option: Maintenance Contract*

*Contract ID*: Integrated Airport Security System Maintenance at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport; MAA-MC-10-011; ADPICS No.: CO338970

Contract Approved:	DOT Agenda 12/15/2010, Item 1-C
Contractor:	Tyco Integrated Security, LLC. Alexandria, VA

*Contract Description*: This contract provides critical response and comprehensive maintenance and repair services for the Integrated Airport Security System (IASS) at BWI Marshall Airport. The IASS is comprised of multiple, fully integrated systems including a digital Closed Circuit Television System (CCTV) with a Digital Video Management sub-system (DVMS), an Identity Management and Badging Issuance System (IMS) and an Access Control System (ACS).

*Option Description*: Exercise the sole Renewal Option for a period of two years and modify the contract to add additional funds for system upgrade. Since the execution of the 2010 IASS Contract, MAA have completed multiple security technologies upgrades due to growth of BWI Marshall and the utilization of technology. MAA completed projects such as: the B/ C Connector Project which added 75 additional cameras and 20 additional card readers; the D/E Connector Project added 62 additional cameras, and 26 additional card readers; and the Cargo Hardening Project added 12 additional cameras, 20 additional card readers and alarms. The additional cameras, card readers and alarms are a part of the renewal option as they were previously approved by the BPW on 12/04/2013 as Item 2-C-MOD and on 08/26/2016 as Item 22-M-MOD.

*Modification Description:* Modification No.4 provides for an upgrade to the DVMS portion of the IASS. This upgrade provides for an expansion necessitated to accommodate new security requirements, recent facility growth and a platform refresh to keep the video storage and retrieval system on currently supported architecture. The storage system is a mission critical portion of the life safety IASS providing immediate playback during emergency and security incidents and archival retrieval functionality in a fully backed up and redundant configuration. Emergency dispatch personnel, first responders, the TSA, the Maryland Transportation Authority Police and other airport operational and security entities depend upon these functional elements for performance of their daily duties.



### 6-M-MOD. MARYLAND AVIATION ADMINISTRATION (cont'd)

#### Modification Description (cont'd):

The IASS was originally awarded in 2010 at a construction cost of over \$28M. The upgrade provided in this modification ensures that the significant original investment remains on a supportable and state of technology platform.

Original Contract Term:	10/01/2013 - 09/30/2016	
Option Term(s):	12/05/2013 – 09/30/2016 (Modification No. 1) 08/27/2015 – 09/30/2016 (Modification No. 2) 10/01/2016 – 01/31/2017 (Modification No. 3) 02/01/2017 – 01/31/2019 (Modification No. 4) 02/01/2017 – 01/31/2019 (Renewal Option No. 1, <i>this agenda item</i> )	
Original Contract Amount:	\$3,077,488	
Mod/Option Amount:	\$3,500,000 (Modification No. 4) \$2,990,222 (Renewal Option)	
Prior Mods/Options:	\$1,200,000 (Modification No. 1) \$1,200,000 (Modification No. 2) \$0 (Modification No. 3)	
<b>Revised Total Contract Amo</b>	<i>punt</i> : \$11,967,710	
Percent +/- Change:	<ul> <li>39% (Modification No. 1)</li> <li>39% (Modification No. 2)</li> <li>0% (Modification No. 3)</li> <li>114% (Modification No. 4)</li> <li>97% (Renewal Option No. 1, <i>this agenda item</i>)</li> </ul>	
Overall Percent +/-:	289%	
Original Procurement Method: Competitive Sealed Proposals		
MBE Participation:	0% (Proprietary System)	

**Requesting Agency Remarks:** The three major elements that together comprise the BWI Marshall IASS are the Nextiva CCTV/DVMS manufactured by Verint, the Airport-ICE IMS manufactured by Intellisoft and the C\*Cure 9000 ACS manufactured by Software House. Due to the highly complex integration of the three major systems comprising the IASS it is imperative



# 6-M-MOD. MARYLAND AVIATION ADMINISTRATION (cont'd)

#### Agency Remarks (cont'd):

that one single resource provide critical response and maintenance of the entire IASS. The MAA has independently verified that Tyco is the only vendor in this region certified by all three manufacturers to install and support these three security sensitive systems. Therefore, Tyco is the sole provider of the required services necessary to support this airport mission critical security system.

Tyco has provided reliable assistance to MAA in enhancing capabilities in controlling movement throughout the airport, vetting of employees, assisting in surveillance and prosecution of criminal activity and responding to airport emergencies. In addition, Tyco Integrated Security focuses on combating emerging airport security vulnerabilities around the U.S. which has yielded positive benefits and security improvements at BWI Marshall.

This action represents exercising the two-year renewal option as provided for in the original contract and a modification to upgrade the system.

Fund Source:	100% Special Funds (Transportation Trust Fund)		
Approp. Code:	J06I0002		
Resident Business:	Yes		
MD Tax Clearance:	16-2150-1111		

#### **BOARD OF PUBLIC WORKS ACTION- THIS ITEM WAS:**

APPROVED DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOUT DI	SCUSSION



# 6-M-OPT. <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

	ATTACHMENT I			
	Amount	Term	BPW/DCAR Date	Reason
		10/01/13-	12/15/2010,	
<b>Original Contract</b>	\$3,077,488	09/30/16	Item 1-C	
Modification No. 1	\$1,200,000	12/05/13-	12/04/2013,	Adding Parts and
		09/30/16	Item 2-C-MOD	Labor Allowance
Modification No. 2	\$1,200,000	08/27/15-	08/26/2015,	Expansion and
		09/30/16	Item 22-M-MOD	Maintenance
Modification No. 3	\$0	10/01/16- 01/31/17	DCAR	Add 4 months to prepare renewal option and modification
Renewal Option No. 1	\$2,990,222	02/01/2017-	12/07/2016	Renewal Option
	1 7 7	01/31/2019	Item 7-M-OPT	No. 1
Modification No. 4	\$3,500,000	02/01/2017- 01/31/2019	12/07/2016 Item 7-M-OPT	Upgrade system
<b>Revised Amount</b>	\$11,967,710	51,51,2017		



Contact: Linda Dangerfield 410-859-7097 <u>ldangerfield@bwiairport.com</u>

### 7-E. <u>MARYLAND AVIATION ADMINISTRATION</u> Equipment Contract

*Contract ID:* New Flyer of America, Inc., 20 Xcelsior 60 Foot Articulated Compressed Natural Gas (CNG) Buses for Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport; MAP6708199; ADPICS No.: MAP6708199

*Contract Description:* This contract provides for the purchase and delivery of 20 New Flyer of America, Inc., Xcelsior 60-Foot Articulated CNG Buses.

Award:	New Flyer of America, Inc. Crookston, MN
Contract Term:	01/04/2017* – 01/03/2018 (12 months from NTP) (*or earlier upon Board approval)
Amount:	\$15,232,343
Procurement Method:	Intergovernmental Cooperative Purchase
MBE Participation:	0% (see Agency remarks)

**Requesting Agency Remarks:** The Airport Consolidated Rental Car Facility (CRCF) shuttle service provides no-charge transportation to Airport patrons and their luggage between the Airport Terminal Building and the CRCF. The Airport CRCF shuttle service operates seven days a week, 24-hours per day, every day of the year. The current shuttle bus fleet comprising of 25 40-foot transit style Neoplan built buses has surpassed its 12-year useful life.

The buses manufactured in 2004 have safely and reliably transported more than 2.5 million passengers annually between the Airport Terminal Building and the CRCF. The buses need to be replaced to ensure passenger safety and comfort, as well as, ensuring increased capacity, better efficiency, reduced emissions and improved reliability.

A study was completed to review and improve scheduling of service to and from the CRCF and Airport Terminal Building. As a result of this study, fewer buses than previously procured were found to be needed. Instead of purchasing 25 buses to replace the current fleet, only 20 buses will be needed; saving approximately \$3.7 million. approximately \$750K per bus or \$3.7 million for the five buses not purchased.



# **7-E.** <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

#### Agency Remarks (cont'd):

Capacity requirements will be met and exceeded with the purchase of the 60 foot articulated buses, which offer up to 50% more capacity than the currently operated 40 foot buses. One 60-foot articulated bus can transport 55 to 60 passengers and their luggage as compared to 29 passengers and luggage on the current 40-foot buses.

Contract No. 09214 between Washington State and New Flyer of America, Inc., effective July 24, 2015 through July 24, 2017, provides the 20 Xcelsior 60-foot articulated CNG Buses for a configured price of \$761,617 each for a total price of \$15,232,343. The lead time of this equipment is 12 months after receipt of order.

Through market research the MAA compared a request for proposal from the Metropolitan Atlanta Rapid Transit Authority awarded on September 24, 2015 for 18 60-foot articulated CNG transit buses in the amount of \$15,406,006 which is \$855,889 per bus as compared to the total price of \$15,232,343 which is \$761,617 per bus on the Washington State contract. The Washington State contract price is lower, therefore, the price is considered fair and reasonable. Washington State received, opened, and awarded eight competitive bids for the articulated CNG buses.

The Contract with New Flyer of America, Inc., has been procured in accordance with COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow MAA to realize savings in time and money in obtaining the articulated CNG buses.

The MBE goal established for this contract is zero percent as this purchase is equipment and single element of work.

Fund Source:	100% Other Funding (CFC – Customer Facility Charge)
Approp. Code:	J06I0003
Resident Business:	No
MD Tax Clearance:	16-4632-0111

### **BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**


Contact: Eric T. Lomboy 410-545-0330 elomboy@sha.state.md.us

# 8-RP. <u>STATE HIGHWAY ADMINISTRATION</u> *Real Property – Conveyance*

<b>Recommendation:</b>	That the Board of Public Works approve the following road conveyance.
Authority:	Transportation Article, Section 8-304 State Finance and Procurement article, Section 10-305 Annotated Code of Maryland
Property:	MC#13-2393 MD 874-D (Old New Market Road): from the corporate town limits of New Market, Maryland, approximately 0.08 mile $\pm$ north of MD 144-FB (Main Street), running northeast to MD 75 (Green Valley Road), for a distance of 0.72 mile $\pm$ .
Grantor:	State of Maryland, State Highway Administration
Grantee:	Frederick County, Maryland
Consideration:	N/A
Appraised Value:	N/A
Special Conditions:	N/A
Fund Source:	N/A
Legislative Notice:	N/A
State Clearinghouse	: N/A

**Requesting Agency Remarks:** Frederick County will use this property as an integral part of their road way system. The conveyance is being made to comply with conditions of a Road Transfer Agreement dated November 18, 2008 between the State Highway Administration and Frederick County, Maryland.





Contact: Linda Dangerfield 410-859-7097 LDangerfield@bwiairport.com

# 9-GM. <u>MARYLAND AVIATION ADMINISTRATION</u> Lease and Concession Contract

*Contract ID:* Sky Chefs, Inc. Lease and Concession Contract at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport; MAA-LC-17-014

*Contract Description:* Request for approval of a non-exclusive Lease and Concession Contract for the right to operate an in-flight and general catering concession and facility at Baltimore/Washington International Thurgood Marshall Airport.

*Revenue:* For the right and privilege to operate at the Airport, Contractor shall pay the greater of a Minimum Monthly Guarantee of \$15,303.56 (\$183,642.73 per annum) which consists of ground rental and facilities rental fees as follows:

Ground rental fee of \$0.492 per square foot per annum for 95,971 square feet of land area, AND

Facilities rental fee of \$4.25 per square foot per annum for 32,100 square feet of Facility, <u>OR</u>

A gross revenue percentage fee of 10% derived from all on-Airport sales, plus a gross revenue percentage fee of 4% derived from all off-Airport sales

#### WHICHEVER AMOUNT IS GREATER ON A MONTHLY BASIS

Note: The ground rental fee and the facilities rental fee are the result of an appraisal conducted on the subject property dated effective April 7, 2016. In addition, the ground rental fee and the facilities rental fee shall be adjusted annually in conformity with increases in the CPI.

Previous Lease and Concession Contract No. MAA-LC-13-012 (approved BPW Item 24-GM, 04/16/14) provided for a MMG of \$22,420.20 (\$267,977.00 per annum) or a gross revenue percentage rental of Ten Percent (10%) derived from all on-Airport sales, plus a gross revenue percentage fee of Four Percent (4%) for off-Airport sales, whichever amount was greater. For the Contract Year ended January 31, 2016 (February 1, 2015 through January 31, 2016), total gross revenues were \$8,328,014.00, of which MAA received \$831,102.00 in percentage gross revenue fee payments.

01/01/2017 - 12/31/2021	(five years)
	01/01/2017 - 12/31/2021

ACDBE Participation: 0% (Lease)



# 9-GM. MARYLAND AVIATION ADMINISTRATION (cont'd)

**Requesting Agency Remarks:** This Lease and Concession Contract No. MAA-LC-17-014 leases land and facilities to Contractor for the non-exclusive right to operate on the leased premises an in-flight and general catering concession and facility. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the Contract must be approved by the Board of Public Works because the Contract constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305.

This Lease and Concession Contract No. MAA-LC-17-014, for the lease of Sky Chefs' Upper Building, submitted as Item 9-GM, is being submitted in conjunction with Lease Contract No. MAA-LC-17-015, for the lease of Sky Chefs' Lower Building, submitted as Item 10-GM. Contractor's facility consists of two buildings, the "Lower Building" and the "Upper Building," joined by a bridgeway. MAA and Contractor enter into this Lease and Concession Contract to continue Contractor's occupancy of the in-flight catering facilities and to allow Contractor to continue to conduct, on a non-exclusive basis, in-flight and general catering concession activities for five years. Contractor's original contract with MAA, Contract No. SAA-LC-87-002, was for a term of 21 years, commencing March 1, 1987, with an option to extend the contract term for two additional five year periods. However, at the time that negotiations to extend the term were to begin, it was determined that the Federal Aviation Administration had mandated that all Part 139 certificated airports bring all nonstandard Runway Safety Areas into compliance by 2015. The Airport's preferred Runway 15R-33L Runway Safety Areas improvement requires the Runway 15R-33L Runway Protection Zone to be relocated, which resulted in a Runway Protection Zone encroachment of approximately 5,735 square feet of Contractor's facility in what is termed the "Lower Building." Several alternatives were considered to address the Runway Protection Zone issue; among them, to alter the facility to eliminate that portion of the facility that is in the Runway Protection Zone, or to demolish the affected lower building outright. It was subsequently determined that partial demolition of the Lower Building was the best course of action. Therefore, the Administration entered into an interim Lease and Concession Contract No. MAA-LC-13-012 (Item 24-GM, BPW approved 04/16/14) for the lease of the "Upper Building," and a Lease Contract No. MAA-LC-13-013 (Item 25-GM, BPW approved 04/16/14) for the lease of the "Lower Building." Contracts terminate December 31, 2016. The Administration believes that it is in the best interest of the Airport to maintain an on-Airport in-flight catering concession for the benefit of the airlines operating at BWI Marshall Airport.





Contact: Linda Dangerfield 410-859-7097 LDangerfield@bwiairport.com

# 10-GM.MARYLAND AVIATION ADMINISTRATION<br/>Lease and Concession Contract

*Contract ID:* Sky Chefs, Inc. Lease Contract at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport; MAA-LC-17-015

*Contract Description:* A Lease Contract for the lease of land and facilities (the "Lower Building") in support of Sky Chefs' Lease and Concession Contract No. MAA-LC-17-014 granting Sky Chefs the right to operate an in-flight and general catering concession at BWI Marshall Airport (previously Item MAA-LC-13-013, 25-GM, BPW 04/16/2014).

*Revenue:* Contractor shall pay a ground rental fee of \$0.492 per square foot per annum for 58,238 square feet of land area, which is \$28,653.10 per year or \$2,387.76 per month, AND

Facilities rental fee of \$4.25 per square foot per annum for 32,100 square feet of Facility, which is \$136,425.00 per year or \$11,368.75 per month. Total rent for both land and facilities under this Contract is \$165,078.10 per year.

Note: The ground rental fee and the facilities rental fee are the result of an appraisal conducted on the subject property dated effective April 7, 2016. In addition, the ground rental fee and the facilities rental fee shall be adjusted annually in conformity with increases in the CPI.

The previous Lease Contract No. MAA-LC-13-013 (approved BPW Item 25-GM, 04/16/14) provided for a ground rental fee of \$0.8562 per square foot per annum for 64,603 square feet of land area, and a facilities (building) rental fee of \$5.2553 per square foot per annum for 37,920 square feet of building space. For the Contract Year ended January 31, 2016 (February 1, 2015 through January 31, 2016), Contractor paid \$200,974.00 in rental fee payments.

*Duration:* 01/01/2017 – 12/31/2021 (five years)

ACDBE Participation: 0% (Lease)

**Requesting Agency Remarks:** This Lease Contract No. MAA-LC-17-015 leases land and facilities to Contractor to support Contractor's Lease and Concession Contract for the non-exclusive right to operate on the leased premises an in-flight and general catering concession and facility. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the Contract must be approved by the Board of Public Works because the Contract constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305.



#### **10-GM.** MARYLAND AVIATION ADMINISTRATION (cont'd)

#### Agency Remarks (cont'd)

Contractor's facility consists of two buildings, the "Lower Building" and the "Upper Building" joined by a Bridgeway. This Lease Contract No. MAA-LC-17-015, for the lease of Sky Chefs' Lower Building, submitted as Item 10-GM, is being submitted in conjunction with Lease and Concession Contract No. MAA-LC-17-014, for the lease of Sky Chefs' Upper Building, submitted as Item 9-GM. MAA and Contractor enter into this Lease Contract to continue Contractor's occupancy of the in-flight catering facilities and to allow Contractor to continue to conduct, on a non-exclusive basis, in-flight and general catering concession activities for five years. Contractor's original contract with MAA, Contract No. SAA-LC-87-002, was for a term begin, it was determined that the Federal Aviation Administration had mandated that all Part 139 certificated airports bring all nonstandard Runway Safety Areas into compliance by 2015. The Airport's preferred Runway 15R-33L RSA improvement requires the Runway 15R-33L Runway Protection Zone to be relocated, which resulted in an Runway Protection Zone encroachment at that time of approximately 5,735 square feet of Contractor's facility in what is termed the "Lower Building." Several alternatives were considered to address the Runway Protection Zone issue; among them, to alter the facility to eliminate that portion of the facility that is in the Runway Protection Zone, or to demolish the affected lower building outright. It was subsequently determined that partial demolition of the Lower Building was the best course of action. Therefore, the Administration entered into an interim Lease and Concession Contract No. MAA-LC-13-012 (Item 24-GM, BPW approved 04/16/14) for the lease of the "Upper Building," and a Lease Contract No. MAA-LC-13-013 (Item 25-GM, BPW approved 04/16/14) for the lease of the "Lower Building." The Contracts terminate December 31, 2016. The Administration believes that it is in the best interest of the Airport to maintain an on-Airport in-flight catering concession for the benefit of the airlines operating at BWI Marshall Airport.

Resident Business: Yes

*MD Tax Clearance:* 16-2438-1111

BOARD OF PUBLIC	WORKS ACTION- TH	IIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH	DISCUSSION	WITHOUT DISCU	USSION



Contact: Georgia A. Peake 410-767-3763 gpeake1@mta.maryland.gov

# MARYLAND TRANSIT ADMINISTRATION General/Miscellaneous Contract

*Contract ID:* Commuter Bus Services Routes 203 & 204; OPS-16-012-SR; ADPICS No.: OPS1612SRA and OPS1612SRB

Contractors: Dillon's Bus Service, Inc., A Coach USA Company Hanover, MD

Atlantic Coast Charters, Inc. Linthicum, MD

*Contract Description*: Commuter Bus Route 203 provides service from Columbia to Bethesda beginning at the Snowden River Park and Ride. Commuter Bus Route 204 provides service from Monocacy MARC Station to College Park Metro/MARC.

Contract Term:	01/03/2017 - 01/02/2022	
Contract Amount:	\$2,264,215 NTE (Route 203) \$4,411,860 NTE (Route 204)	
Procurement Method:	Competitive Sealed Bidding	
Bids: <u>OPS-16-012-S</u>	SR (A) Commuter Bus Route 203	
	Dillon's Bus Service, Inc. Hanover, MD	\$2,264,215
	Atlantic Coast Charters, Inc. Linthicum, MD	\$2,453,933
	Eyre Bus Service, Inc. Glenelg, MD	\$2,549,855
	Academy Express, LLC Hoboken, NJ	\$3,235,188
	Gold Line, Inc. Tuxedo, MD	\$3,967,518



#### **MARYLAND TRANSIT ADMINISTRATION** (cont'd)

Bids:	<u>OPS-16-012-</u>	6-012-SR (B) Commuter Bus Route 204	
Atlantic Coast Charters, Inc. \$4,411 Linthicum, MD		\$4,411,860	
		Dillon's Bus Service, Inc. Hanover, MD	\$4,560,900
		Eyre Bus Service, Inc. Glenelg, MD	\$4,614,720
		Gold Line, Inc. Tuxedo, MD	\$5,952,515
MBE Partici	pation:	5.1%	
Incumbent:		Eyre Bus Service, Inc. Glenelg, MD	(Routes 203 and 204)

**Requesting Agency Remarks:** The Engineer's Estimate for Commuter Bus Route 203 was \$2,668,625. The lowest responsive bid received for Route 203 was 15% under the Engineer's Estimate. The Engineer's Estimate for Commuter Bus Route 204 was \$5,230,775. The lowest responsive bid received for Route 204 was 15.66% under the Engineer's Estimate. The Estimate on both routes took a very cautious approach due to uncertainty of the amount of competition.

The Solicitation was advertised in eMaryland Marketplace. Four hundred four potential vendors were notified about this contract on eMaryland Marketplace, of which 57 were Minority Business Enterprises and 11 were Small Business Reserve.

Commuter Bus Route 203 provides service from Columbia to Bethesda beginning at the Snowden River Park and Ride. There are three morning trips with stops at Columbia Town Center, Scaggsville Park and Ride, Burtonsville Park and Ride, Georgia Avenue Park and Ride and Medical Center Metro. There are four afternoon trips.

Commuter Bus Route 204 provides service from Monocacy MARC Station to College Park Metro/MARC. There are five morning trips with stops at Urbana Park and Ride, Gaithersburg Park and Ride, New Georgia Avenue Park and Ride, FDA-White Oak, University of Maryland College Park (Stadium Drive). There are six afternoon trips.



# **MARYLAND TRANSIT ADMINISTRATION** (cont'd)

#### Agency Remarks (cont'd):

Commuter Bus Route 203 is currently serviced under contract T-8000-0353; which was approved by the BPW on 12/21/2011. Commuter Bus Route 204 is currently serviced under contract T-8000-0354; which was also approved by the BPW on 12/21/2011. Both Route 203 and 204 are currently serviced by Eyre Bus Service, Inc.

Dillon's Bus Service, Inc. has committed to meet the MBE goal of 5.1%. Atlantic Coast Charters, Inc. has committed to achieving 6.6% MBE participation.

Fund Source:	100 % Special Funds (Transportation Trust Fund)	
Approp. Code:	J05H0105	
Resident Business:	Yes	
MD Tax Clearance:	Dillon's Bus Services, Inc. A Coach USA Co. Atlantic Coast Charters, Inc.	16-2796-0111 16-3861-0111





# DEPARTMENT OF GENERAL SERVICES

# Items to be presented to the Board of Public Works

# December 7, 2016

	Pages
Construction	1 thru 3
Construction Modification	5 thru 8
Architecture and Engineering	9 and 10
Maintenance	11 and 12
Maintenance Modification	13 and 14
General Miscellaneous	15
Real Property	16
Leases	17 thru 22
Capital Grants and Loans	23 thru 43



Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

#### 1-C. <u>CONSTRUCTION CONTRACT</u> Department of General Services

*Contract ID:* Construction of the New Catonsville District Court ADPICS No. 001B7400207, Project No. BC-230-080-001

*Contract Description:* Approval is requested for a contract for the construction of a new Catonsville District Court, a five story Court House at 6851 Johnnycake Road, Catonsville, Md., 21228. The overall 128,000 gross square foot building is located on Parcel "D" of the Rolling Crossroads Business Park.

#### Procurement Method: Competitive Sealed Bidding

	<b>Bids or Proposals</b>	Amount	
	Costello Construction, Columbia, MD	\$54,485,000.00	
	Dustin Construction, Inc., Ijamsville, MD	\$57,558,920.00	
	James W. Ancel, Inc. Towson, MD	\$59,106,000.00	
	Grunley Construction Co., Rockville, MD	\$61,496,350.00	
Award: Term:	Costello Construction, Inc. 730 Calendar Days		
Amount:	\$54,485,000.00		
MBE Participo		35% Full Split (7% African-American & 4% Asian-American	
VSBE Particip	<i>cipation:</i> 5%		
Performance 1	<i>Bond:</i> 100% of Full Contract Amount		

**Remarks:** A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on August 15, 2016. The engineer's estimate for this project is \$62,017,000.00. Bids were opened October 5, 2016 and four bids were received. The recommended contractor Costello Construction, Inc. has been found responsible, its bid responsive and has confirmed its bid.



# **1-C.** <u>**CONSTRUCTION CONTRACT**</u> (cont'd)

*Fund Source:* 106/MCCBL2016 - \$24,187,000.00 - "New Catonsville District Court. Provide Funds to complete design and begin construction of a new district court/multi-service center building in Catonsville and on-site parking garage, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project."

Pre-Authorized Capital Funding – Senate Bill 191 – "New Catonsville District Court. Provide funds to continue construction of a new district court building/multi-service center and on-site parking garage." - \$30,298,000

Resident Business: Yes

*MD Tax Clearance:* 16-3387-0000





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

#### 2-C. <u>CONSTRUCTION CONTRACT</u> Veterans

**Procurement Method:** 

# *Contract ID:* Expansion of Burial Capacity, Phase III Eastern Shore Veterans Cemetery ADPICS No. 001B7400206 Project No. VC-003-140-002

*Contract Description:* Approval is requested for a contract to provide all labor, equipment, materials, supplies, supervision, insurance, etc., necessary in performing all operations in connection with expansion of burial capacity of the cemetery by developing 1300 gravesites. Expansion will also include above ground columbarium units. All work shall be performed in accordance to the specifications and the associated contract drawings.

**Competitive Sealed Bidding** 

		Bids or Proposals	Amount
	G&C Fab Con, LLC, Flemington, NJ		\$3,071,000.00
	Delmarva Vet	eran Builders, LLC, Salisbury, MD	\$3,205,439.00
	W.M. Schloss	er Co., Inc., Hyattsville, MD	\$4,541,000.00
Award:		G&C Fab Con, LLC	
Term:		365 Calendar Days	
Amount:		\$3,071,000.00	
MBE Partici	pation:	20%	
VSBE Partic	ipation:	5%	
Performance	Bond:	100% of Full Contract Amount	

*Remarks:* A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on August 8, 2016. The engineer's estimate for this project is \$3,326,500. Bids were opened August 31, 2016 and three bids were received. The recommended contractor G&C Fab Con, LLC has been found responsible, its bid responsive and has confirmed its bid. The MBE goal of 20% and the VSBE Goal of 5% was met by G&C Fab Con, LLC and affirmed by MBE Office memo dated October 24, 2016.



# 2-C. <u>CONSTRUCTION CONTRACT</u> (cont'd)

Fund Source:	005 CA 2014 \$ 63,702.76
	002 CA 2015 \$2,980,000
	050 CA 2015 \$17,666
	390 CA 2016 \$9,631.24
<b>D</b> 17 . D 1	

Resident Business: No

*MD Tax Clearance:* 16-3290-0111





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

# **3-C-MOD.** <u>CONSTRUCTION CONTRACT MODIFICATION</u> *Military Department – La Plata Readiness Center*

Contract ID:	Design and Construction of a New Readiness Center ADPICS No. 001B3400155 Project No: M-493-120-004
Original Contract Approved:	BPW September 19, 2012, Item 2-C
Contractor:	Coakley and Williams Construction, Inc. Bethesda, Maryland

*Contract Description:* Approval requested for a Design/Build project to design and construct a new readiness center. The total area of the new building will be 28,630 gross-square-feet (GSF).

Original Procurement Method: Multi-Step Competitive Sealed Bids

*Modification Description:* Eighty-nine compensable calendar days and one hundred fifteen noncompensable days. The modification will ratify the change. This time extension for 204 days is due for delays of permanent power for the project.

Original Contract Term:	730 Calendar Days
Modification Term:	204 Calendar Days
Original Contract Amount:	\$9,280,000.00
Modification Amount:	\$ 237,424.00
Prior Modifications/Options:	\$ 404,018.88
<b>Revised Total Contract Amount:</b>	\$ 9,921,442.88
Percent +/- (This Modification):	2.56%
Overall Percent +/-:	6.91%
Original MBE Participation:	30% (15% African American and 5% Asian American owned)



#### 3-C-MOD CONSTRUCTION CONTRACT (cont'd)

*MBE Participation:* 26%

**Remarks:** Contract time will be extended by eighty-nine compensable calendar days and one hundred fifteen non-compensable days. This is a negotiated 89 day compensable delay from projects original anticipated permanent power timeline. An additional 115 non-compensable days are to the contractor and/or SMECO due to delay causing subcontractors to pull off project for lack of permanent power. Numerous work activities required permanent power to continue and/or complete.

*Fund Source:* 100% Federal CA 2012/Item 001

Resident Business: Yes





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

# 4-C-MOD. <u>CONSTRUCTION CONTRACT MODIFICATION</u> Department of Natural Resources

Contract ID:	Construction of Temporary Steel Cofferdam Project No: F-010-150-010 ADPICS No. 001B6400567	
Original Contract Approved:	BPW 06/08/16, Item 1-C	
Contractor:	McLean Contracting Co. Glen Burnie, Maryland	

*Contract Description:* This project consists of the Contractor providing all labor, equipment, materials, supplies, insurance, etc., necessary to construct and remove a steel cofferdam in order for DNR to make repairs to their Marine Railway in Cambridge Creek at Cambridge Marine Terminal, Cambridge, Maryland.

Original Procurement Method: Competitive Sealed Bids

*Modification Description:* To provide all labor and material to install 40 timber piles, attach timber caps and rail plates and set rail and cradle.

Original Contract Term:	24	0 Calendar Days
Modification Term:	0	
Original Contract Amount:	\$	362,864.00
Modification Amount:	\$	289,000.00
Prior Modifications/Options:	\$	0.00
<b>Revised Total Contract Amount:</b>	\$	651,864.00
Percent +/- (This Modification):	79.	.64%
Overall Percent +/-:	79.	.64%



# **4-C-MOD.** <u>**CONSTRUCTION CONTRACT MODIFICATION**</u> (cont'd)

**Original MBE Participation:** 0%

**MBE Participation:** 0%

*Remarks:* Contract time will remain unchanged. The railway is used to haul departmental boats out of the water for maintenance. The Piles and Caps are necessary for securing the new railway. Boats and vessels maintained using the railway system include those used for ice breaking, buoy setting, and marine construction activities.

The work covered by this change order could not be determined until the cofferdam was installed and site dewatered. The additional work could not be solicited from other vendors because McLean is responsible for the stability and safety of the cofferdam while this work takes place.

#### Fund Source:

Waterway Improvement Fund, FY 2010, SF	08/09	PCA 11013	\$18,945.33
Waterway Improvement Fund, MCCBL 2011	08/09	PCA 11805	\$87,546.60
Waterway Improvement Fund MCCBL, 2011	08/09	PCA 11804	\$100,000.00
MCCBL 2011, Item 008, Critical Maintenance			\$82,508.07

**Resident Business:** 

Yes





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

# 5-AE. <u>ARCHITECTURE AND ENGINEERING SERVICES</u> Department of General Services

Contract ID:Design for the Restoration, Renovation and Tenant Fit-up of the<br/>Historic Annapolis Post Office<br/>Project No. BA-699-130-001 ADPICS No. 001B7400228

**Description:** The Old Annapolis Post Office shall be incorporated into the Annapolis Legislative Complex via adaptive re-use of the building for State office space while preserving its rich architectural character. The scope of work includes restoration of the building exterior, abatement of hazardous materials, ADA improvements, elevator installation, new HVAC, plumbing and electrical systems, new roofing as well as tenant fit-out for the selected State agencies.

#### **Procurement Method:**

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS	Qualification and Technical Scores
Ziger/Snead, LLP, Baltimore, MD	219.4/94%
Murphy & Dittenhafer Architects, Baltimore, MD	203.0/88%
Cho Benn Holback + Architects, Inc., Baltimore, MD	200.4/87%
RDG/ATI, Inc., (JV), Columbia, MD	198.4/86%
Westlake Reed Leskosky, Washington, DC	196.4/85%

Award:	Ziger/Snead, LLP
Amount:	\$725,022.00
Term:	10 Months
MBE Participation:	25%
Performance Bond:	N/A



# 5-AE. ARCHITECTURE AND ENGINEERING SERVICES (cont'd)

**Remarks:** This solicitation was advertised on eMaryland Marketplace on May 27, 2016. Twenty-three firms submitted Letters of Interest and fifteen submitted technical proposals. Of the fifteen technical proposals received, thirteen of the proposals were evaluated as responsive; two of the proposals were evaluated as non-responsive. Five firms achieved the minimum qualifying score of 85%. It was determined that a Second Phase Review Panel evaluation was not required. At the meeting of September 11, 2016, the General Professional Services Selection Board (GPSSB) approved the Qualification Committee's recommendation of the ranking of the Firms and authorized negotiations with the top ranked firm of Ziger/Snead, LLP.

At the October 20, 2016 meeting of the GPSSB, the chairman of the Negotiation Committee certified that the negotiations were conducted in accordance with the regulations governing the Negotiation Committee, that the price proposal was based upon the scope of services outlined in the project program and DGS procedures for providing architectural/engineering services, and that the negotiated price proposal was fair, competitive, and reasonable.

The negotiated price proposal and the scope of services represented by the price proposal were reviewed by the General Board and approved as required by Title 13-308 of the State Finance and Procurement Article, Annotate Code of Maryland. Approval is requested for all six phases.

Fund Source:	\$573,473 - 004 MCCBL 2012 \$151,549 - 009 MCCBL 2013
Resident Business:	Yes
MD Tax Clearance:	52-2207-651





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

#### 6-M. <u>MAINTENANCE CONTRACT</u> Department of Natural Resources

Contract ID:Renovate Two Campground Shower BuildingsADPICS No.001B7400183 Project No. P-018-170-010

*Contract Description:* Approval is requested for a contact to provide all labor, equipment, materials, supplies, insurance, etc. necessary to renovate two Campground Shower Buildings located at the Pocomoke River State Park – Shad Landing, Snowhill, Maryland.

Procurement Method: Competitive Sealed Bidding

Bids or Proposals	Amount
Delmarva Veteran Builders, LLC, Salisbury, MD	\$478,585.70
MRP Contractors, LLC, Baltimore, MD	\$942,513.50

Award:	Delmarva Veteran Builders, LLC
Amount:	\$478,585.70
MBE Participation:	20%
VSBE Participation:	0%
Bid Bond:	No
Performance Bond:	No
Payment Bond:	No
Hiring Agreement:	No

*Remarks:* A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on September 1, 2016. The engineer's estimate for this project is \$485,810.00. Bids were opened on September 22, 2016 and two bids were received. The recommended contractor Delmarva Veteran Builders, LLC has been found responsible, its bid responsive and has confirmed its bid. Delmarva Veteran Builders, LLC has committed to achieve the 20% MBE participation goal.



# 6-M. <u>MAINTENANCE CONTRACT</u> (cont'd) Department of Natural Resources

Fund Source:	POS 17 Item 007
Resident Business:	Yes
MD Tax Clearance:	16-3205-1001





Contact: Kareen Davis 410.767.4945 kareen.davis@maryland.gov

# 7-M-MOD. <u>MAINTENANCE MODIFICATION CONTRACT</u> Department of General Services

Contract ID:	Optimized Preventive Maintenance Service for DGS Facilities Statewide ADPICS No. 001B6400031 COG97482
Original Contract Approved:	BPW: July 15, 2015; Item 4-M
Contractor:	Pepco Energy Services Arlington, VA

*Contract Description:* Optimized Preventative Maintenance Program for DGS facilities statewide. Recommended firm shall furnish all labor, materials, equipment, and supplies necessary for the Optimized Preventative Maintenance Program for 47 DGS facilities statewide.

Original Procurement Method: Competitive Sealed Proposal

*Modification Description:* All labor, equipment, and materials to add omitted existing equipment to the Optimized Preventive Maintenance Program for DGS Facilities Statewide.

Original Contract Term:	8/1/2015 - 7/31/2018
Modification Term:	12/7/2016 - 7/31/2018
Original Contract Amount:	\$5,926,366.34
Modification Amount:	\$325,696.45
Prior Modifications/Options:	\$0
<b>Revised Total Contract Amount:</b>	\$6,252,062.79
Percent +/- (This Modification):	5%
Overall Percent +/-:	5%



# **7-M-MOD.** <u>MAINTENANCE MODIFICATION CONTRACT</u> (cont'd)

**Remarks:** Contract time will remain unchanged. This contract covers roughly 1,900 pieces of HVAC equipment located at 47 DGS facilities throughout the State of Maryland. The solicitation was bid unsuccessfully prior to being re-bid and awarded 7/15/15. The project was re-advertised omitting recently identified related equipment. It is critical for each piece of equipment to receive optimize preventive maintenance; optimized preventive maintenance will extend the life of the equipment.

DGS now has a comprehensive list of equipment for the Optimized Preventive Maintenance Program.

Original MBE Participation:	30%
MBE Participation:	33%
Fund Source:	17331510812\$131,780.1117333910812\$463.8717334090812\$12,996.3617334390812\$1,214.8617336010812\$1,109.6318331510812\$146,824.2718333910812\$516.8818334090812\$1,354.9218336010812\$1,236.1019331510812\$12,258.5919334090812\$1,208.3219334390812\$113.1319336010812\$103.20
Resident Business:	Yes





Contact: Lauren Buckler 410.767.3174 lauren.buckler@maryland.gov

#### 8-GM. <u>GENERAL MISCELLANEOUS</u> Department of Natural Resources

*Reference:* In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Total amount of funds used is \$148,690.00. (1 items).

Title:	Office/Shop Renovations
	Project No. P-073-130-010

*Description:* The project consists of the Contractor providing all labor, equipment, materials, supplies, insurance, etc., necessary to renovate office/shop at the Elk Neck State Forest located at 717 Irishtown Road, Northeast, MD 21901 in Cecil County.

<b>Procurement Method:</b>	Competitive Sealed Bidding	
Award:	Modern Construction Services, Inc.	
Amount:	\$148,690.00	
Fund Source:	MCCBL 2010 Item 016 - \$79,788.94 MCCBL 2011 Item 008 - \$68,901.06	

**Remarks:** A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com*, and 3,210 firms were notified of this solicitation. Three bids were received. The contract duration is 90 calendar days. The engineer's estimate is \$124,230.00. Sufficient funds are available to proceed with the award, even though the bid for the apparent awardee is over the engineer's estimate, the agency has verified that they will come up with additional funds to meet the bid price. There is a 10% MBE goal. Modern Construction Services, Inc., has committed to achieve the MBE goal.





Contact: Wendy Scott-Napier 410.767.4088 wendy.scott-napier@maryland.gov

# 9-RP. <u>REAL PROPERTY</u> Department of Health & Mental Hygiene File # 00-8379

- *Recommendation:* Approve property as surplus *Property:* 61.432 acres located at Owings Mills Blvd. and Gwynbrook Avenue, Baltimore County, Maryland
- *Grantor:* The State of Maryland, to the use of the Department of Health & Mental Hygiene

*Remarks:* Approval is requested to declare 61.432 acres of unimproved land surplus to the State in contemplation of a land exchange with The Associated Jewish Charities for the exchange of 54.6016 acres of improved land lying adjacent to the Rosewood State Hospital property.

*Clearinghouse:* The Clearinghouse has completed an intergovernmental review identified as Clearinghouse # MD20160505-0364, and has recommended to declare surplus the real property identified as 61.432 acres located at Owings Mills Blvd. and Gwynbrook Avenue, Baltimore County, Maryland in contemplation of a proposed real property swap of the Rosewood Hospital Center: +/- 61.432 unimproved acres titled in the name of DHMH for +/- 54.6016 improved acres titled in the name of The Associated Jewish Charities.

<b>BOARD OF PUI</b>	BLIC WORKS	THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DI	SCUSSION	WITHO	UT DISCUSSION



Contact: Robert Suit 410.767.1819 robert.suit@maryland.gov

# 10-LL.LANDLORD LEASE

# Department of Natural Resources Land and Property Management

Tenant:	Board of Cou 208 South For Oakland, Mar	urth Stre	eet, Room 20	of Garrett Count <b>y,</b> Maryland 7
Property Location:	U		State Forest arrett County	y, Maryland 21550
Space Type: Duration: Annual Rent:	Water Wells 40 years \$1.00		Type: Effective:	New 12/14/2016
Utilities Responsibil Custodial Responsib	•	Tenan Tenan		

**Recommendation:** Approval is requested for the lease of approximately 1.09 acres of land for the placement, use, management, and operation of two (2) water wells, an access road, and a waterline and appurtenances necessary to convey groundwater to the proposed Puzzley Run Water Treatment Plant that will be built in conjunction with the wells. The water will be pumped into the Keyser's Ridge water distribution system for consumption. This lease shall be for a term of either forty years or the non-renewable termination of the MDE Water Appropriation and Use Permit, whichever shall sooner occur. Water withdrawal may not exceed the withdrawal limits as set forth in the MDE Water Appropriation and Use Permit, which may be replaced, revised, or amended from time to time. The Tenant shall install and maintain in constant working order meters or other such measuring devices which will enable Tenant or Landlord to accurately calculate the amount of water withdrawn from the two (2) production wells. Tenant shall submit to Landlord a monthly written report of the metered usage of water. This lease contains a termination for convenience and sufficient appropriation clause whenever the Landlord determines that such termination shall be in the best interest of the State.

The Clearinghouse conducted an intergovernmental review of the project under the State Application Identification Number MD20150224-0125. It is recommended to develop a formal, water-appropriation agreement between the Maryland Department of Natural Resources and the



#### 10-LL. LANDLORD LEASE

#### **Recommendation:** (cont'd)

\*Town of Grantsville that provides the Town of Grantsville with a specific water withdrawal rate and requires all unused wells to be properly sealed and closed. It is also recommended to develop a formal water-appropriation agreement between the Maryland Department of Natural Resources and Garrett County that provides Garrett County with a specific water withdrawal rate and requires the County to develop two production wells. It is further recommended that if it is the intention of Garrett County and/or the \*Town of Grantsville to now serve the Goodwill Mennonite Home with the Grantsville System, then the County Water and Sewer Plan should be amended to reflect this change.

• The Town of Grantsville lease will be presented to the BPW for approval at a later date.





Contact: Robert Suit 410.767.1819 robert.suit@maryland.gov

#### 11-LL.<u>LANDLORD LEASE</u> Department Of Natural Resources

Tenant:		12525 C	Catoctin Furna Catoctin Furna nt, Maryland		, Inc.	
Property Loco	ation:		Catoctin Furna nt, Maryland			
Space Type: Duration:	Land/l 20 Yea	0	Lease Type: Effective:	New December 10, 2016	Square Feet: Annual Rent:	

#### **Recommendation:**

Board of Public Works approval is requested to approve this 20 year lease agreement which will allow Catoctin Furnace Historical Society, Inc. to renovate an existing building (Sager House) at tenant's expense and establish a local museum which will be open to the public. The museum is dedicated to the life of workers of the nearby Catoctin iron furnace and will provide meeting space and offices for tenant's staff.

**Background:** The Catoctin Furnace Historical Society, Inc., celebrates, studies and preserves the history of a pre-revolutionary industrial village, located in the Cunningham Falls State Park, including the architecture, cultural landscapes, food ways, and the life ways of the workers.

- 1. The lease is for twenty years with no renewal option.
- 2. Tenant received State Clearinghouse recommendation (MD20160708=0640) contingent on Tenant adhering to conditions identified by Maryland Departments of Budget Management, General Services, Transportation, the Environment; Frederick County; and the Maryland Department of Planning including the Maryland Historical Trust.
- 3. Tenant shall pay promptly when due, all taxes assessed in connection with Tenant's use and occupancy of the Premises, including but not limited to, federal and state income taxes, retail sales taxes, employment taxes, and Real Property taxes assessed against the Premises pursuant to Section 6-102€of the Tax Property Article of the Annotated Code of Maryland (1988 volume, as amended from time to time).
- 4. Tenant shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction, occurring within the premises or arising out of the use thereof by Tenant or its agents, employees, officers, subtenants, invitees, visitors and guests, under one or more policies of General Comprehensive Liability insurance which will have a minimum coverage of \$1,000,000 per occurrence, Two Million Dollars (\$2,000,000) annual aggregate, and shall contain broad form GCL Endorsement or its equivalent.
- 5. Landlord may terminate this lease at any time during the lease, <u>whenever the Landlord</u> <u>determines that termination is in the best interest of the Landlord</u>.





Contact: Robert Suit 410.767.1819 robert.suit@maryland.gov

#### 12-LT MOD. <u>TENANT LEASE MODIFICATION</u> MSDE-Division of Rehabilitation Services

Landlord: BRIT-FORBES II, LLC 5410 Edson Lane, Suite 200 Rockville, Maryland 20852

Property Location:	4451 Parliament Place	
	Lanham, Maryland 20706	

Space Type:	Office	Lease Type:	Modification/Extension	Square Feet: 5,430
<b>Duration:</b>	10 Years	Effective:	December 21, 2016	
Ann	ual Rent: \$ 97	7,740.00 (avg)	Square Foot Rate	<b>:</b> \$18.00 (avg)

Utilities Responsibility: Tenant Custodial Responsibility: Landlord Previous Board Action(s): 6/1/2005—15-L; 2/22/12—14-LT-OPT Fund Source: 100%- Federal, ROOA121—21.6--1301—U6076

**Recommendation:** On 2/22/2012, the Board of Public Works approved a five year lease term that included provisions for (2) five year renewal options. The renewal options did not have an agreed upon rental rate, which would have necessitate bringing the lease back to the Board for approval. Approval is requested to modify the term of the renewal option from a five year term to a ten term at an average rate of \$18.00 psf, for an annual rent of \$97,740.00 (avg). Additionally, the modification to the lease would include (1) five year renewal term at the expiration of this lease, which is subject to future BPW approval. The modification of this lease was done at the request of the using agency.

- 1. Maryland State Department of Education seeks space for its Division of Rehabilitation Services for a field office for the rehabilitation of disabled persons and to assist them in finding employment.
- 2. The lease contains a termination for convenience clause, and the standard 6-month holdover period.
- 3. The lease provides twenty-five (25) use-in-common parking spaces at no cost to the State.



# 12-LT MOD TENANT LEASE MODIFICATION (cont'd)

#### *Remarks:* (cont'd)

- 4. The lease contains a right of first offer for contiguous space to accommodate potential Agency expansion.
- 5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05.02D. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.





# 13-CGL. <u>CAPITAL GRANTS AND LOANS</u>

*Recommendation:* That the Board of Public Works enter into grant agreements for the following grants:

#### Harford County, Maryland

Agricultural Research and Exposition Foundation (Harford County) "For the site preparation and site improvements of property, located in Harford County."
\$50,000.00 Maryland Consolidated Capital Bond Loan of 2015 (MISC – Chapter 495, Acts of 2015) DGS Item 127
\$100,000.00 Maryland Consolidated Capital Bond Loan of 2015 (LSI – Chapter 495, Acts of 2015) DGS Item 138, (SL-046-150-038)

*Matching Fund:* No match is required.

#### Background:

Total Project	\$ 300,000.00
15-127 (This Action)	\$ 50,000.00
15-138 (This Action)	\$ 100,000.00
Local Cost	\$ 150,000.00

- 1. The grant agreements have been modified to include: <u>Indemnification</u>. To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. the Local Government Tort Claims Act; Article §25A, 1A; and Courts and Judicial Proceedings Article, §5-509; Annotated Code of Maryland, as amended from time to time), and subject to the availability of appropriations, Grantee.
- 2. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 3. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 4. Invoices should be submitted to the Department of General Services for the disbursement of funds.





#### 14-CGL. <u>CAPITAL GRANTS AND LOANS</u> Department Of Health and Mental Hygiene

*Recommendation*: That the Board of Public Works approve a grant of \$150,000.00 to *People Encouraging People, Inc. (PEP) (Baltimore City).* 

*Project:* Architectural/Engineering services for PEP's Recovery Center located at 4201 Primrose Avenue, Baltimore, MD 21215.

Architect: Gant Brunnett Architects, Baltimore City \$200,000.00

#### Remarks:

- 1. Grantee is a nonprofit organization.
- 2. In accordance with § 24 *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Baltimore City.
- 3. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Capital Planning that it has expended the required matching funds.

*Fund Source:* DHMH has determined the grantee is required to provide a 25% local share of the eligible project cost as follows:

\$200,000.00	Total Project Cost
\$200,000.00	Eligible Project Cost
\$150,000.00 (75%)	MCCBL 2015 (CHFF), DHMH #06510-01
\$ 50,000.00 (25%)	People Encouraging People, Inc.





# 15-CGL. <u>CAPITAL GRANTS AND LOANS</u>

*Recommendation:* That the Board of Public Works certify matching funds and enter into grant agreement for the following grant:

Board of Directors of the Maryland Theatre Association, Inc.
Maryland Theatre (Washington County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County."

\$125,000.00
Maryland Consolidated Capital Bond Loan of 2015 (LSI – Chapter 495, Acts of 2015), DGS Item G146; (SL-077-080-038)

*Matching Fund:* The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2017 and the Board of Public Works to certify a matching fund. The Board of Directors of the Maryland Theatre Association, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$67,127.00 in prior eligible expenditures and \$181,148.45 in eligible expenditures for a total of \$248,275.45 to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of the Maryland Theatre Association, Inc. \$123,275.45 for eligible expenditures.

Background:	Total Project	\$770,000.00
	15-G146 (This Action)	\$125,000.00
	15-G085 (Future Action)	\$ 50,000.00
	16-G116 (Future Action)	\$ 75,000.00
	14-G189 (Prior Action)	\$125,000.00
	08-G194 (Prior Action)	\$125,000.00
	Local Cost	\$270,000.00

(Prior Actions: 12/17/14 Agenda, Item 21-CGL; and 7/7/10 Agenda, Item 18-CGL)



# 15-CGL CAPITAL GRANTS AND LOANS (cont'd)

- 1. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland,* and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.





#### 16-CGL. **CAPITAL GRANTS AND LOANS**

**Recommendation:** That the Board of Public Works enter into a grant agreement for the following grant:

#### **County Executive and County Council of Baltimore County**

*Milford Mill High School Athletic Facilities Improvements (Baltimore County)* "For the planning, design, construction, repair, renovation, reconstruction, site work, and equipping of athletic facilities improvements at Milford Mill High School, located in Baltimore County."

#### \$450,000.00

Maryland Consolidated Capital Bond Loan of 2016 (MISC – Chapter 027, Acts of 2016) DGS Item 135, (SL-017-160-038)

*Matching Fund:* No match is required.

# **Background**:

Total Project	\$ 905,000.00
16-135 (This Action)	\$ 450,000.00
Local Cost	\$ 455,000.00

- 1. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Invoices should be submitted to the Department of General Services for the disbursement of funds.





# 17-CGL. <u>CAPITAL GRANTS AND LOANS</u>

*Recommendation:* That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

County Executive and County Council of Prince George's County
Prince George's County Correctional Center (Prince George's County)

"To design, construct, and equip renovations and expansion to the Correctional Center's Medical Unit."

\$2,488,000.00
Maryland Consolidated Capital Bond Loan of 2016 (LJDC – Chapter 027, Acts of 2016), DGS Item G193; (SL-020-150-038)

*Matching Fund:* The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2018 and the Board of Public Works to certify a matching fund. The County Executive and County Council of Prince George's County has submitted documentation that \$2,588,000.00 is appropriated in its Fiscal Year 2017 budget to meet the matching fund requirement for this project.

Background:	Total Project	\$14,508,000.00
	16-G193 (This Action)	\$ 2,488,000.00
	15-G150 (Prior Action)	\$ 549,000.00
	Local Cost	\$11,471,000.00

(Prior Action: 2/24/16 Agenda, Item 12-CGL)

- 1. The grant agreement identifies Grantee's legal name as "Prince George's County, Maryland, a body corporate and politic, on behalf of the Prince George's County Department of Corrections."
- 2. The grant agreement has been revised as follows: 16. <u>Indemnification</u>. To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. the Local Government Tort Claims Act; Article §25A, 1A; and Courts and Judicial Proceedings Article, §5-509; Annotated Code of Maryland, as amended from time to time), and subject to the availability of appropriations, Grantee.
- 3. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.



# **17-CGL.** <u>**CAPITAL GRANTS AND LOANS** (cont'd)</u>

- 4. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-3250 to 328, *State Finance and Procurement Article, Annotated Code of Maryland,* and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 5. The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.





#### 18-CGL. **CAPITAL GRANTS AND LOANS**

**Recommendation:** That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

Board of Directors of The Tabernacle of Laurel, Maryland, Inc. Tabernacle Church of Laurel Gymnasium (Prince George's County) "For the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the gymnasium at the Tabernacle Church of Laurel, located in Prince George's County." \$25,000.00 Maryland Consolidated Capital Bond Loan of 2016 (LSI – Chapter 027, Acts of 2016), DGS Item G110; (SL-018-160-038)

*Matching Fund:* The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2018 and the Board of Public Works to certify a matching fund. The Board of Directors of The Tabernacle of Laurel, Maryland, Inc. has submitted a bank commitment letter for a line of credit of \$75,000.00 to meet the matching fund requirement for this project.

Background:	Total Project	\$ 50,000.00
-	16-G110 (This Action)	\$ 25,000.00
	Local Cost	\$ 25,000.00

- 1. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-3250 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.





# 19-CGL. <u>CAPITAL GRANTS AND LOANS</u>

*Recommendation:* That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

Board of Trustees of the Walters Art Museum, Inc.
Walters Art Museum (Baltimore City)

"To assist in funding the design, construction, and equipping of renovations to the museum facility and Hackerman House."

\$1,000,000.00
Maryland Consolidated Capital Bond Loan of 2015 (MISC – Chapter 495, Acts of 2015),

DGS Item G013; (SL-027-030-038)

*Matching Fund:* The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2017 and the Board of Public Works to certify a matching fund. The Board of Trustees of the Walters Art Museum, Inc. has submitted documentation that it has \$1,439,277.65 in a financial institution to meet the matching fund requirement for this project.

Background:	Total Project	\$80,630,000.00
	15-G013 (This Action)	\$ 1,000,000.00
	13-G014 (Prior Action)	\$ 2,500,000.00
	07-G100 (Prior Action)	\$ 125,000.00
	06-G117 (Prior Action)	\$ 250,000.00
	05-G151 (Prior Action)	\$ 100,000.00
	05-G150 (Prior Action)	\$ 300,000.00
	03-058 (Prior Action)	\$ 1,000,000.00
	Local Cost	\$75,355,000.00
(Prior Actions:	5/13/15 Agenda, Item 16-CGL	; 4/1/09 Agenda, Item 19-CG

(Prior Actions: 5/13/15 Agenda, Item 16-CGL; 4/1/09 Agenda, Item 19-CGL; 3/12/08 Agenda, Item 9-CGL; 4/14/07 Agenda, Item 9-CGL; and 4/27/05 Agenda, Item 13-CGL)

- 1. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland,* and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.





# 20-CGL. <u>CAPITAL GRANTS AND LOANS</u>

*Recommendation:* That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

Mayor and Board of Aldermen of the City of Frederick
Weinberg Center for the Arts HVAC (Frederick County)
"For acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center, including the installation of an HVAC system, located in Frederick."
\$40,000.00
Maryland Consolidated Capital Bond Loan of 2015 (LHI - Chapter 495, Acts of 2015)
DGS Item G061
\$60,000.00

Maryland Consolidated Capital Bond Loan of 2015 (LSI - Chapter 495, Acts of 2015) DGS Item G119; (SL-019-001-038)

*Matching Fund:* The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2017 and the Board of Public Works to certify a matching fund. The Mayor and Board of Aldermen of the City of Frederick have submitted evidence in the form of canceled checks and invoices that they have \$450,700.65 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Mayor and Board of Aldermen of the City of Frederick \$100,000.00 for eligible expenditures.

Background:	Total Project	\$1	,635,000.00
	15-G061 (This Action)	\$	40,000.00
	15-G119 (This Action)	\$	60,000.00
	11-G057 (Prior Action)	\$	75,000.00
	11-G125 (Prior Action)	\$	75,000.00
	08-G067 (Prior Action)	\$	55,000.00
	08-G154 (Prior Action)	\$	50,000.00
	01-G000 (Prior Action)	\$	100,000.00
	00-G000 (Prior Action)	\$	200,000.00
	Local Cost	\$	980,000.00

(Prior Actions: 1/23/13 Agenda, Item 18-CGL; 12/16/09 Agenda, Item 14-CGL; 12/12/01 Agenda, Item 29-CGL; 9/20/00 Agenda, Item 25-CGL)



# **20-CGL.** <u>CAPITAL GRANTS AND LOANS (cont'd)</u>

- 1. This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland,* and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.





#### 21-CGL. <u>CAPITAL GRANTS AND LOANS</u> Department Of Health and Mental Hygiene

*Recommendation:* The Board of Public Works approve a grant of \$86,800.00 to *AIRS/Empire Homes, Inc.* (*Baltimore City*).

*Project:* Acquisition and renovation of a three-bedroom, one-bathroom house located at 305 Whitridge Avenue, Baltimore City, Maryland 21218.

Contract of Sale	\$115,000.00
Bernard F. Semon, Towson, MD	\$118,500.00
John V. McDonough J., Reisterstown, MD	\$130,000.00
DGS accepted appraisal	\$118,500.00
Total Project Cost	\$115,650.00
Eligible amount	\$115,650.00*
State share 63%	\$ 86,800.00

\*Includes the lesser of the DGS accepted value or the contract price at \$115,000.00, and the cost of appraisals at \$650.00.

#### **Renovation Bids:**

Molina's Contractor, Rockville, MD	\$12,500.00
DLG General Construction, Baltimore, MD	\$16,850.00
Maryland Bay Construction, Baltimore, MD	\$22,128.00
Award:	
Maryland Bay Construction, Baltimore, MD	\$22,128.00**

\*\*Maryland Bay Construction's bid was fully responsive and addressed the entire scope of work. DLG General and Molina's Contractor's bid did not address the entire scope of work.

- 1. The house will be used to provide housing for a family of three individuals with psychiatric disabilities.
- 2. Grantee is a nonprofit organization.
- 3. In accordance with § 24 *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Baltimore City.
- 4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Capital Planning, Budgeting, and Engineering Services that it has expended the required matching funds.



# 21-CGL CAPITAL GRANTS AND LOANS (cont'd)

*Fund Source:* DHMH has determined the grantee is required to provide a 37% local share of the eligible project cost as follows:

 \$137,778.00
 Total Project Cost

 \$137,778.00
 Eligible Project Cost

 \$ 86,800.00 (63%)
 MCCBL 2015 (CHFGP), DHMH #29601-01

 \$ 50,978.00 (37%)
 AIRS/Empire Homes, Inc., cash on hand





#### 22-CGL. **CAPITAL GRANTS AND LOANS** Department Of Health and Mental Hygiene

**Recommendation:** That the Board of Public Works approve a grant of \$184,388.00 to Family Services, Inc. (Montgomery County).

Project: Acquisition of a three-bedroom townhome located at 15630 Mews Court, Laurel, Maryland 20707.

Contract of Sale	\$245,000.00
Mark P. Schlehr, Baltimore, MD	\$245,000.00
Eric J. Moholt, Gaithersburg, MD	\$245,000.00
DGS accepted appraisal	\$245,000.00
Total Project Cost	\$245,850.00
Eligible amount	\$245,850.00*
State's share @ (75%)	\$184,388.00

\*Includes the lesser of the DGS accepted value or the contract price at \$245,000.00, and the cost of appraisals at \$850.00.

#### Remarks:

- 1. The property will be used to provide housing services for three individuals with mental illness.
- 2. Grantee is a nonprofit organization.
- 3. In accordance with § 24 Subtitle 6 of the Health-General Article of the Annotated Code of Maryland, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Prince George's County.
- 4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Capital Planning that it has expended the required matching funds.

Fund Source: DHMH has determined the grantee is required to provide a 25% local share of the eligible project cost as follows:

\$245,850.00	Total Project Cost
\$245,850.00	Eligible Project Cost
\$184,388.00 (75%)	MCCBL 2015 (Community Health Facilities Fund) DHMH
	#04203-01
\$ 61,462.00 (25%)	Family Service Foundation, Inc. BB&T Bank Mortgage

BOARD OF PUBLIC WORKS	THIS ITEM WAS:	
(APPROVED ) DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOU	T DISCUSSION



#### 23-CGL. <u>CAPITAL GRANTS AND LOANS</u> Department Of Health and Mental Hygiene

*Recommendation:* That the Board of Public Works approve a grant of \$128,566.00 to *Housing Unlimited, Inc.* (*HUI*), (*Montgomery County*).

*Project:* Acquisition of a two-bedroom, two-bathroom individual condominium unit located at 2214 Highfly Terrace, Silver Spring, Maryland 20902.

Contract of Sale	\$175,318.00
H. Virginia Timian, Laurel, Maryland	\$175,318.00
Laura G. Lamb, Laytonsville, Maryland	\$178,000.00
DGS accepted appraisal	\$175,318.00
Total Project Cost	\$176,118.00
Eligible amount	\$176,118.00*
State's share @ 73%	\$128,566.00

\*Includes the lesser of the DGS accepted value or the contract price at \$175,318.00 and the cost of appraisals at \$800.00.

#### Remarks:

- 1. This condominium will be used to provide housing for two individuals with <u>psychiatric</u> disabilities.
- 2. Grantee is a nonprofit organization.
- 3. In accordance with *Subtitle 6 of Title 24 of the Health-General Article of the Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Montgomery County.
- 4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office Capital Planning that it has expended the required matching funds.

*Fund Source:* DHMH has determined the grantee is required to provide a 27% local share of the eligible project cost.

\$176,118.00	Total Project Cost
\$176,118.00	Eligible Project Cost
\$128,566.00 (73%)	CHFF, MCCBL 2015, DHMH #20807-05
\$ 47,552.00 (27%)	Montgomery County DHCA

APPROVED DISAPPROVED WITH DISCUSSION	DEFERRED	WITHDRAWN JT DISCUSSION
BOARD OF PUBLIC WORKS	THIS ITEM WAS:	



#### 24-CGL. <u>CAPITAL GRANTS AND LOANS</u> Department Of Health and Mental Hygiene

*Recommendation:* That the Board of Public Works approve a grant of \$162,288.00 to *Housing Unlimited, Inc. (HUI), (Montgomery County).* 

*Project:* To assist HUI in the acquisition of a 3-bedroom, 2-bathroom house located at 6593 Rock Spring Dr., Bethesda, MD 20817.

Contract of Sale	\$221,513.00
Laura G. Lamb, Laytonsville, Maryland	\$221,513.00
H. Virginia Timian, Laurel, Maryland	\$225,000.00
DGS accepted appraisal	\$221,513.00
Total Project Cost	\$222,313.00
<b>Eligible amount</b>	<b>\$222,313.00</b> *
State's share @ 73%	\$162,288.00

\*Includes the lesser of the DGS accepted value or the contract price at \$221,513.00 and the cost of appraisals at \$800.00.

#### Remarks:

- 1. This condominium will be used to provide housing for three individuals with <u>psychiatric</u> disabilities.
- 2. Grantee is a nonprofit organization.
- 3. In accordance with § 24 *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Montgomery County.
- 4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office Capital Planning that it has expended the required matching funds.

*Fund Source:* DHMH has determined the grantee is required to provide a 27% local share of the eligible project cost.

